the weekly Standard

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ENDING THE GENOCIDE IN DARFUR.

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In the new issue of *Policy Review*

Iraq: Last Chance

A political settlement before any withdrawal

To concede that going to war in Iraq was a grave mistake of policy is not to embrace the conclusion that an immediate pullout — or one by a declared date moderated by conditions on the ground — would today serve U.S. interests. The country may have entered the war with erroneous notions of the state of Saddam's WMD programs. It may have underestimated the resilience of former Baathists and regime loyalists, their access to weapons, and the help they would get from foreign jihadists. It may have failed to anticipate that a society divided and oppressed by an authoritarian ruler might erupt into ethnic and religious conflict when that leader departs. It may have been naive in thinking that an externally modeled Iraqi democratic government would opt for secular rather than sectarian parliamentary representation and that its near-perfect transition would transform the region into a galaxy of democratic states. And it may have underestimated the number of troops needed to occupy a country of 25 million. Yet the answer is not to compound those mistakes by leaving in a way that makes large-scale civil war nearly inevitable, pushes the country into the lap of its Iranian neighbor, or advertises the United States as an unreliable friend, a hesitant hegemon, and a rewarder of those terrorists with the tenacity to outlast the behemoth. No, when a great power puts its leg in a snare, there must be some cure other than amputation.

—Robert Zelnick

The Scapegoats among Us

Blame-shifting after 9/11

To judge by current intellectual trends, many post-9/11 attempts to diagnose the American soul, both here and in Europe, have served less to clarify reality than to gravitate toward safer and more palatable substitutes. It is a fraught, fascinating spectacle worth exploring in detail — the more so because a parallel outpouring of books, especially from the contemporary European front, makes very clear what today's obvious displacements of political passion are really about.

—Mary Eberstadt

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Contents

December 4, 2006 • Volume 12, Number 12

2 Scrapbook . . . . . *Remembering Smith Hempstone.*

4 Casual . . . . . *Duncan Currie, shirtless.*

9 Editorial . . . . . *Surrender as 'Realism'*

Articles

10 Rumsfeld Accused *Anyone home at the State Department?.* . . . . . BY JEREMY RABKIN

13 Reactionary Democrats *The end of the free-trade consensus.* . . . . . BY DAVID SMICK

14 Journalists and Judges *Neither can be trusted to make good decisions about secrecy.* . . . . . BY ROBERT F. NAGEL

16 The Veil Controversy *Islamism and liberalism face off.* . . . . . BY OLIVIER GUITTA

18 Tear Gas and Running Dogs *The scandal-rocked government of Taiwan.* . . . . . BY DAVID DEVOSS

Cover: EPA / Corbis / Manuel Lerida

Features

20 Europe's Future
The Senegalese are coming to Spain—and staying. . . . . . BY CHRISTOPHER CALDWELL

27 We Can Put More Forces in Iraq
And they would make a difference. . . . . . BY FREDERICK W. KAGAN

30 Putting Parents First
A new approach to domestic policy for conservatives. . . . . . BY YUVAL LEVIN

Books & Arts

35 A Burnt-Out Case *How great was Graham Greene?.* . . . . . BY BROOKE ALLEN

37 Mr. Bill of Rights *The Quiet Man of the American Revolution.* . . . . . BY JAMES M. BANNER JR.

39 A View from the Bench *The unpersuasive case for judicial activism.* . . . . . BY EDWARD WHELAN

42 Philip Johnson *Fashion as architecture, and vice versa.* . . . . . BY CATESBY LEIGH

46 Unwelcome Guest *Actor, yes; director, no.* . . . . . BY JOHN PODHORETZ

48 Parody . . . . . *President Bush at the APEC summit.*

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The Honorable Smith Hempstone

With realism smugly pervasive these days in foreign policy circles, it is gratifying to remember a fearless and inspiring champion of freedom. Smith Hempstone, who died on November 19 in Bethesda, Maryland, deserves to go down in the annals of American diplomacy as the ideal type of the American ambassador.

Not that Ambassador Hempstone was remotely typical. Neither the career-diplomat model nor the wealthy-political-appointee pattern fit his background. The son of a naval officer, he'd graduated from the University of the South, then joined the Marines and fought in Korea. As a newspaperman, he'd covered wars and written novels and produced a syndicated column for 19 years. He'd been editorial page editor of the late *Washington Star* for five years and editor in chief of the conservative *Washington Times* for three before George Bush in 1989 named him to the only diplomatic post he ever held or (by his own telling) ever aspired to, ambassador to Kenya.

Hempstone and his wife Kitty loved Africa. They'd driven the length and breadth of the continent in the 1960s, and had lived in Nairobi for five years. They had friends across Kenyan society before they ever dreamed of going there to represent the United States.

Hempstone served in Kenya from December 1989 to February 1993, the epochal end-of-history years when the world's tyrannies seemed on notice. Hempstone took to heart President Bush's announced policy of promoting democracy in Africa. At his first Fourth of July party for 600 Kenyan officials and leaders from many walks of life, he read from the Declaration of Independence, adding that when America sees "a government that has been elected by the people in free elections, and that then honestly serves the people it represents, we rejoice and support that government."

His engaging memoir *Rogue Ambassador* recounts the reception accorded this approach by opposition figures, struggling for oxygen in a corrupt, one-party state, and by the suave, churchgoing dictator, Daniel arap Moi, whose cabinet, a local Anglican bishop warned Hempstone, contained several "professional murderers." The warning would be abundantly borne out in the actions—ranging from slander to harassment to physical intimidation and assassination—engaged in by the agents of the ruling party.

Without seeking confrontation, and regularly cautioning the opposition not to foment lawlessness, Hempstone stuck to his guns. Some Western ambassadors backed him; so did some members of Congress, who threatened to tie aid to democratization; and some, though far from all, at the State Department. By the time the ambassador left Kenya, Moi had been forced to reinstitute the secret ballot and allow the opposition some political space. Smith Hempstone would live to see the dictator retired and the opposition National Rainbow Coalition voted into power by a landslide in December 2002.

These days, American ambassadors can only dream of spontaneous popular demonstrations of gratitude outside their embassy gates. They could do worse than take a page from our man in Nairobi. ♦

Satisfying Our Great Expectations

Just in time for the gift-giving season, longtime contributing editor Noemie Emery has published her third book, *Great Expectations: The Troubled Lives of Political Families* (John Wiley). Her third and, in the humble opinion of your Scrapbook, her finest study of American political history to date. (If you haven't already, you will also want to acquire her biographies of George Washington and Alexander Hamilton.) Weekly Standard readers are well aware of Noemie's learned and elegant autopsies of the American body politic. Now, in *Great Expectations*, she takes her scalpel to those prominent political families—the Adamses, Roosevelts, Kennedys, Bushes, and Gores—that have not just dominated politics, but combined drama and history in ways no novelist could invent. A ripping yarn, as it were, with just the kind of shrewd and pertinent observations on these fascinating characters that readers expect from Noemie Emery. ♦

The Unfriendly Skies

The Scrapbook was at first surprised to hear that six imams had been removed from U.S. Airways Flight 300 before it took off from Minneapolis-St. Paul International Airport on November 20. Government and corporate authorities are so terrified of being perceived as anti-Muslim that they usually go out of their way to avoid any action that might give rise even to the appearance

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of ethnic or religious profiling. But an underreported detail in the case helps to explain why airline security took such drastic action.

The six imams, five from Arizona and one from California, were on their way home after attending a conference of the North American Imams Federation. Like the other passengers, they boarded the flight and took their seats. Unlike the other passengers, three of the imams stood in the aisle and began reciting their evening prayers.

Now, if you are the sort of person who says a prayer before takeoff, you've probably drawn a few eye-rolls or curious looks from fellow flight-goers. So you can probably imagine the effect if the prayer you were saying was in Arabic and five other men were saying it in unison, all a little more than five years after 19 Muslims commandeered four passenger jets, turned them into weapons, and killed around 3,000 innocent people. Joe Schmoe sitting in seat 18A might get a little antsy, right?

Sure enough, another passenger slipped a note to a flight attendant wondering what the imams were up to. The captain and airport security asked the imams to leave the plane, the imams refused, and the police were summoned. (The imams deny that they refused to leave when asked.) Eventually, they disembarked and were taken in for questioning. According to the AP, none were detained longer than "several" hours—about the same time it took for the other 135 passengers, who had also been told to disembark, to reboard the plane and take off.

We were not in the least surprised, alas, that grievance groups like the Council on American-Islamic Relations and the NAACP jumped into the fray, calling for independent investigations, laws criminalizing racial, ethnic, or religious profiling, and greater sensitivity toward the religious practices of American Muslims.

For our part, we're still waiting for the terrorists to show a little more sensitivity to their co-religionists—and to the rest of us—and to stop murdering in the name of their god. ♦

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Casual

Mr. T-Shirt

The other day, getting dressed, I reached for a T-shirt to put on, and grabbed one that turned out to be faded and threadbare. Rummaging through my drawers, I noticed it wasn't the only one. My entire stockpile had thinned, and it left me with a pang of nostalgia. Let me explain.

For years now I've been coasting on the T-shirts I collected between the ages of about 9 and 19—the decade I played on highly competitive youth soccer teams based in northern and central New Jersey. These teams were not affiliated with any school, but rather with private clubs. They're what suburban soccer junkies call "select" teams, meaning the players were drawn from disparate towns and often traveled long distances for practice.

We traveled even farther for games. Looking back, I shudder to think how many hours my parents spent behind the wheel, on weekdays and weekends and holidays, and how much money they shelled out for hotel rooms as we passed our summers shuttling up and down I-95 or the Garden State Parkway to far-flung tournaments. At nearly every venue the organizers would be hawking T-shirts, and I almost always bought one. I gradually accrued several drawers' worth.

It wasn't hard. During our 1993-94 season we played over 100 games. (If memory serves, we won almost 90.) That number was swelled by indoor competitions where several short games could be slated for a single day. Memorial Day often meant Maryland: a tournament in either the Potomac or Columbia area. The Pocono (Pennsylvania) and Liberty (Long Island) Cups were regular summer fixtures. In high school we made an annual post-Christmas pilgrimage to Florida for the Tampa Bay Sun Bowl, which was a magnet for college recruiters. I still have my Sun Bowl '97 and Sun Bowl '98 T-shirts. My Sun Bowl '96 shirt finally became too torn to wear.

Darren Gygi

Others, such as my 1994 Charles River United Cup shirt, have met a similar fate, though I hate to throw a T-shirt away. I think of them all as keepers. While many older ones have been retired, the more recent additions—like my 2001 USASA National Cup shirt—still function as gym attire. So does my 1995 "Langhorne Striker Premier Invitational" shirt.

It isn't easy to explain the manic world of select-team soccer to a civilian—the endless car trips, the sacrifice of prime vacation time, and the hyper-intensity of certain parents. One of the parents on our team, who became a de facto assistant coach, worked as a dentist. His office assistant had a strict policy for incoming phone calls, which she shared only half in jest: "People in pain—we ask them to hold. Soccer callers—we put them right through."

I once was told of a player whose mother called the New Jersey governor's office to complain when her dear son failed to make an Olympic Development squad. (This is the feeder program for the U.S. national team.) Knowing as I did both player and mother, I found the story perfectly plausible. Not for nothing do they speak of "soccer moms from hell."

My own parents were amused by the whole scene, happy just to watch the games and swap laughs on the sidelines. They still like to think of the Montclair Bombers—my team from 1990 to 1996—as a true dynasty, the youth-soccer equivalent of Wooden's Bruins or Auerbach's Celtics. The players and parents became quite close. When the team eventually splintered, my mother graciously offered the thought that, "If the Beatles had to break up, I guess the Bombers can, too."

I'm nearly 25 now: more than two years removed from college soccer and more than 12 years removed from the acquisition of my oldest remaining T-shirt. I discovered it a few years ago in a corner of my closet. It's from a two-week trip our team took to England in April 1994, while I was in sixth grade. (We went to Holland two years later.) It must've been an extra, because the lettering and colors are still bright, indicating it has rarely been washed. I outgrew a smaller version of it long ago.

Someday this one will be torn and threadbare, too. But like all former athletes pining for their salad days, I hope that won't be for a long time.

Duncan Currie

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Surrender as 'Realism'

Foreign policy realism is ascendant these days, we are told. This would be encouraging if true, because our foreign policy must indeed be realistic. But what passes for "realism" today has very little to do with reality. Indeed, if you look at some of the "realist" proposals on the table, "realism" has come to be a kind of code word for surrendering American interests and American allies, as well as American principles, in the Middle East.

Thus, the "realists" advise us to seek Syria's help in Iraq even as the Syrian government engages in a concerted campaign of assassinating every Lebanese political leader who opposes the return of Syrian hegemony in Lebanon. Presumably, the "realist" position is that we should give Lebanon back to Syria, or at least turn a blind eye to its murderous efforts to regain control there, as an incentive to Syria to help us in Iraq, where Syria is also engaged in supporting terrorists. "Realism" is letting dictators get away with terror and murder—and, in particular, letting them get away with the murder of our friends.

The "realists" advise seeking Iranian help in Iraq as well. They are coy about suggesting what the United States could give Tehran as an inducement for such assistance, but the implications of their position are clear. After all, the Bush administration has already offered to talk to Iran, provided the Iranians agree to suspend enrichment of uranium. That has also been the position of the Europeans. The Iranians have refused.

So the "realists" are adapting to the reality of Iranian intransigence. They are in effect suggesting that the administration drop its long-standing position and begin negotiating with Iran despite the Iranian regime's refusal to agree to the common U.S.-European demand. What the realists have in mind, then, is that the United States should turn a blind eye to Iran's nuclear weapons program, in exchange for Iran's help in easing our retreat from Iraq. Who cares if this would destroy U.S. credibility, weaken those in Europe who are trying to be strong, undermine the effort to prevent Iran's acquisition of nuclear weapons, and lead to a cascade of additional nuclear states in the region? It would at least make possible further "realistic" accommodations to these new and deadly realities.

The "realists" also advise putting pressure on Israel to deal in a more forthcoming way with the Hamas-dominated Palestinian government. Israel should be induced to make concessions despite the ongoing violence and the refusal of Hamas to ratify even Yasser Arafat's acceptance of Israel's right to exist. Thus, in order to conciliate Arab dictators and radicals, Washington should retreat from long-standing principle and hand a dramatic victory to the forces of violence and extremism in Palestine.

So let's add up the "realist" proposals: We must retreat from Iraq, and thus abandon all those Iraqis—Shiite, Sunni, Kurd, and others—who have depended on the United States for safety and the promise of a better future. We must abandon our allies in Lebanon and the very idea of an independent Lebanon in order to win Syria's support for our retreat from Iraq. We must abandon our opposition to Iran's nuclear program in order to convince Iran to help us abandon Iraq. And we must pressure our ally, Israel, to accommodate a violent Hamas in order to gain radical Arab support for our retreat from Iraq.

This is what passes for realism these days. But of course this is not realism. It is capitulation. Were the United States to adopt this approach every time we faced a difficult set of problems, were we to attempt to satisfy our adversaries' every whim in order to win their acquiescence, we would rapidly cease to play any significant role in the world. We would be neither feared nor respected—nor, of course, would we be any better liked. Our retreat would win us no friends and lose us no adversaries.

What our adversaries in the Middle East want from us is very simple: They want us out. Unless we are prepared to withdraw, not just from Iraq but from the entire region, and from elsewhere as well, we had better start figuring out how to pursue effectively—realistically—our interests and goals. This is true American realism. All the rest is a fancy way of justifying surrender.

—Robert Kagan and William Kristol

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Rumsfeld Accused

Anyone home at the State Department?

BY JEREMY RABKIN

IT IS HARDLY CONCEIVABLE that Donald Rumsfeld will end up serving a prison sentence in some modern counterpart of Spandau Prison, where the Nuremberg defendants served out their terms.

But a German prosecutor is now considering whether to go after Rumsfeld and more than a dozen other high-ranking American officials for alleged war crimes at Abu Ghraib and Guantánamo. Almost certainly German officials will flinch before getting to formal trials. But the issue for now is in German hands.

The Germans can claim that this prosecution was not their idea. The initiative came from the New York-based Center for Constitutional Rights (CCR), which filed a 200-page complaint in mid-November on behalf of 11 Iraqis who claim to have been abused at Abu Ghraib and a Saudi national with similar claims about his treatment at Guantánamo. It's the sort of thing CCR does—an obvious add-on for its domestic litigation against antiterror measures, its appeals for Lynne Stewart (convicted message-carrier for convicted terrorist mastermind Omar Abdel Rahman), and its recent efforts to mobilize demands for the impeachment of President Bush.

CCR filed a similar complaint in November 2004 on behalf of the same complainants. That was dismissed by German prosecutors less than three months later, on the grounds that the United States was already pursuing its own investigations into these abuses. The premise for this earlier German decision is now untenable, says CCR: The U.S. government has continued to shield top officials from accountability, and the Military Commissions Act of 2006 now blocks any effective recourse to U.S. courts.

Janis Karpinski, the demoted former commander at Abu Ghraib who was a target of the original CCR call for prosecution, has now announced that she wants to testify for the prosecution of higher-ups who, she says, are the real culprits. Professors of international law from the United States and elsewhere offer statements of support. International law, they say, not only authorizes but also obligates foreign governments to step forward when perpetrators of international crimes are not called to account by their own government.

If you comb through international treaties and precedents from international tribunals, you might well find plausible grounds for the German prosecutors to act (as under the prohibition on "humiliating and degrading treatment" in the Geneva conventions). The charges are only "frivolous"—as a Pentagon spokesman called them—if you look up from lawyerly parsing of treaty provisions and tribunal precedents and think seriously about real world implications. That is not the way officials in the civilian courts of Europe are trained to think.

So the Germans are in a somewhat awkward spot. And the Bush administration has acted as if it sympathizes with Germany's difficulty here. Or at least, the administration has acted as if it doesn't want to be seen putting overt pressure on the German legal process.

We haven't always acted with such restraint. When Belgian prosecutors announced in 2002 that they were looking into charges against Vice President Cheney—for alleged abuses in the conduct of the 1991 Gulf war, when Cheney was in charge at the Defense Department—American officials warned that we might have to urge the relocation of NATO headquarters, away from Belgium to some country where U.S. officials wouldn't be threatened with subpoenas at every meeting. The Belgians promptly rescinded their universal jurisdiction law.

Even in the earlier round in CCR's case, Rumsfeld announced that, if the prosecution remained open, he could not attend a Munich conference where he'd been expected to speak at the beginning of 2005. Prosecutors then announced the dismissal of the case, in time for Rumsfeld to show up in Munich without a protective entourage of legal advisers. This time, however, the Bush administration has

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said nothing in public about changes in travel plans, let alone about plans to close remaining U.S. military facilities in Germany, if prosecutors don't reconsider.

But the Germans do not deserve patient forbearance. On the contrary, this episode should be a warning to Washington. If the United States treats this situation as no more than an inadvertent moment of legal confusion, it is asking for more and more challenges down the road. And a lot of Germans really want to supply them.

Start with the law, itself. The CCR sought to have this prosecution launched in Germany because German law is especially open to this sort of legal claim. That is not inadvertent. Germany was, among major states, perhaps the single most enthusiastic advocate for establishing an International Criminal Court in the 1990s. The Germans eagerly pushed forward with the project in disregard of American concerns and objections.

Germany then amended its own law to authorize its prosecutors to act against internationally recognized crimes, even when the crimes had no connection to Germans or to Germany. The idea was to fill gaps left by the Statute of the International Criminal Court, as, for example, in dealing with countries that had not subscribed to the ICC. Which countries might be in that category? The German Code of Crimes Against International Law was enacted in 2002—four years after the completion of the Rome Statute but also more than a year after the Bush administration had announced its decision to withdraw even the symbolic signature on the treaty that President Clinton had offered in his last weeks in office.

Yes, yes, there is a special history in Germany. "For historical reasons," as a recent article in an international law journal explains, "Germany had a moral obligation not to take a passive role in implementing the Rome Statute." At one level this is quite clearly fanciful. Germany has no more disposition than any other country in Europe to mobilize opposition to mass murder in Darfur, in Chechnya, or anywhere else.

But in another sense, the German past has a great deal to do with Germany's current eagerness to open its courts to accusations against others. Germans have not forgotten their past—but they very much resent those who remind them about it. A 2004 survey by Bielefeld University found that nearly two-thirds of Germans were sick of "all this harping" on Nazi crimes. And a majority of Germans agreed that Israel's actions against Palestinians were similar to what Nazis had done to Jews during the Second World War.

Having committed terrible crimes in the past, Germans are determined to ensure that such crimes will never be repeated—or at least, that other perpetrators will be placed in the same frame as Nazi perpetrators. In the mid-1990s, the German government risked new strains in its already strained relations with Britain by protesting the erection of a London memorial for crews of Bomber Command in the Second World War. Wasn't the bombing of German civilians now agreed to have been a war crime? A few years later, at the risk of greater strains in its relations with Poland and Czechoslovakia, the German government approved plans for a museum and memorial to commemorate the sufferings of Germans expelled from neighboring countries at the end of the war. Wasn't that also a war crime?

In 2003, Germany's president, Social Democrat Johannes Rau, insisted that the record of Nazi crimes should not "exonerate anyone who answered terrible wrongs with terrible wrongs," and all the sufferings of that era must be "understood in its entire context" amidst a "pan-European catastrophe." Many nations fought in that terrible war, and yet all the war guilt was placed on Germany—no, that was not Rau's point, that was in the speeches of an earlier, better-known German leader. Rau's point was that . . . well, that Germans should now be allowed to point accusing fingers, too!

And so they do. The German press

Get back to the roots of the movement.

A GLORIOUS DISASTER

Barry Goldwater's Presidential Campaign and the Origins of the Conservative Movement

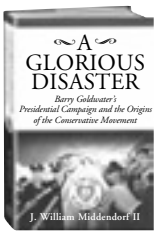
J. WILLIAM MIDDENDORF II

"Barry Goldwater was a great pioneer in the conservative cause—and Bill Middendorf **tells so well the obstacles faced in Barry's 1964 campaign for the presidency."**

—JOHN MCCAIN

"The account by Bill Middendorf of the Goldwater enterprise is **very good history, wonderfully revealing,** by someone who was there and critically situated. Middendorf writes with authority, as one would expect."

—WILLIAM F. BUCKLEY, JR.



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has been shrieking with rage over Guantánamo. Prisoners held behind barbed wire! Prisoners without rights! Torture! Gas . . . okay, maybe not that, but, but . . . torture! Have we seen pictures of piled-up corpses, of emaciated detainees, of maimed victims of monstrous experiments? Even the International Red Cross, which has had ready access to Guantánamo, acknowledges there has been nothing of the sort going on there. (Even the CCR complainants protest against pain and humiliation but not permanent, debilitating physical injuries.) Still, when Angela Merkel made her first visit to Washington as chancellor, having affirmed her intention to mend fences with America, she assured the German media that she would confront President Bush with German concerns about—Guantánamo.

Meanwhile, as the CCR prepared to file its new call for prosecutions in Germany, the Democratic Lawyers of Germany awarded a prize to CCR president Michael Ratner for his "pioneering work on international human rights." The award is named after Hans Litten, a lawyer who cross-examined Hitler in a 1931 lawsuit (before German voters placed the Nazis in power) and was subsequently hounded to his death by Nazi police. Litten stood up to Hitler, Ratner stood up to Bush. How appropriate to crown Ratner with Litten's halo!

One need not, of course, see things in quite these terms—especially if one indulges the German penchant for abstraction. One might argue instead, as legal commentators often do, that the new Germany is committed to the rule of law, founded on universal values, so the new Germany must also be committed to international law with universal reach. Accordingly, Germany was bound, by its commitment to universal values, to insist that the new International Criminal Court must apply to all nations. And if the ICC cannot act, Germany's commitment to universal values requires it to embrace a universal jurisdiction to see that international crimes are properly punished.

But most abuses won't be punished. After several years in operation, the ICC has so far started only one prosecution (of a warlord from Uganda). Germany cannot address all the remaining crimes in the world. In fact, it has shown no serious interest in pursuing wrongdoers around the world. It has so far launched prosecutions only in relation to atrocities in the Balkan wars of the 1990s (and then in cases where either the victims or the perpetrators ended up in Germany). Does it make sense to focus on minor abuses in democratic states when the world fails to confront entire regimes founded on terror and murder? Yet Germany's Code of Crimes Against International Law, like the ICC statute itself, does not distinguish the most terrible atrocities from lesser offenses, nor does it distinguish democracies from other states.

The objection to letting Germany set itself up as judge of American officials is not technical. We ought to mention that we object to this sort of thing in principle. We might even call that objection universal.

In effect, Germany's code of international crimes conflates imperfections in reasonably decent countries with the persistent evils that define the world's worst tyrannies. Which side does Germany mean to be on? The implication of its universal jurisdiction statute is that it is simply committed to universal law—that is, it is not on any side. Which is, come to think of it, pretty much where Germany has been since 9/11.

When you point this out to earnest Germans, you are quickly told that Germany has repudiated the nasty doctrines of the Nazi legal theorist Carl Schmitt, who taught that to be "political" one must heed, above all, the difference between "friends and enemies."

Okay, let's agree that Schmitt was not nice. Is there no alternative between Schmitt's brutal "decisionism," on one side, and a Kantian devotion to universal norms, without regard to context or consequence, on the other? For too many Germans, the answer is no. A sense of balance, of proportion, of prudent moderation, has not been a hallmark of German political culture.

Classical treatises on international law held that no nation should set itself up as judge of another except under the most serious provocation—the sort of provocation that might justify a military response. That's still a good rule, if you want to be universal. But if you want to get down to cases, of all nations, Germany is among the very least suited to serve as judge of the world.

Apart from older disabilities, arising from those "historical reasons," today's Germany is so averse to military engagement that it cannot distinguish reasonable from excessive military tactics. It has refused to allow its own troops in Afghanistan to engage in combat operations, even with a German in nominal command of NATO forces there. Even after the Security Council urged all states to assist the new Iraqi government in restoring order in 2003, Germany's offer was so insultingly small—it would train Iraqi police but not in Iraq and not even in any neighboring country—that the Iraqis rejected it out of hand. Despite Germany's much larger population, Canada and Australia, even little Denmark, make much more of a military contribution to struggles against evil forces in the world today. Germany is no longer a fighting nation. Being a bystander to world conflict is no qualification, in itself, to be a world judge.

Yet the Bush administration now seems to think it would be enough for Germany to find some technical reason to dispense with the charges against Rumsfeld. If it does not protest openly and emphatically against Germany's claim to jurisdiction over

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American officials, however, the administration implies that there is nothing wrong with the claim in principle. Which means we remain open to the possibility that similar charges may be revived in the future, even for the same episodes. Germany's law allows no statute of limitations. And a prosecution, once it gets started, can cause lots of headaches, even if it does not reach a guilty verdict. (Ask Scooter Libby.)

The objection to letting Germany set itself up as judge of American officials is not technical. We ought to mention that we object to this sort of thing in principle. We might even call that objection universal. But we might also make clear that our objection to German trials is also special, or at least especially emphatic.

Sure, sure, there are more varieties of relationship than "friend" and "enemy." But we should not tolerate Germany's trying to engage in prosecutorial therapy at American expense. Secretary of State Condoleezza Rice should make the point very clear. Germany can continue to call itself an American ally or it can persist in setting itself up as our judge. It can't do both. ♦

Reactionary Democrats

The end of the free-trade consensus.

BY DAVID SMICK

THE ISSUE OF GLOBALIZATION—which has been growing from a preoccupation of the political fringe to a battle cry of the Democratic mainstream—may well become the sleeper issue of 2008. Listen to the postelection chatter in Washington right now, which can be boiled down to one question: Did the Democrats win simply because of Republican scandals and frustrations over the war in Iraq, or was some less perceptible shift in the electorate at work? Are we in fact seeing the beginnings of an electoral wave that might continue into 2008 and give Democrats control over the White House and even larger majorities in Congress?

The answer depends, of course, on what each party offers by way of a broader agenda. In economic policy, the Democrats are flirting with an antiglobalization position, and not without reason. Polls show that despite a 4.4 percent unemployment rate and a robust stock market, the American public remains anxious about its economic future. Americans today spend more on imports than they pay in taxes. Real wages have remained relatively stagnant, which is why good economic headlines over the last year failed to help the GOP.

In today's globalized system, wages alone may not be enough to get ahead. Families need to be invested in the market to benefit from advancements in productivity that are a result of globalization. This is why the Republican party, after failing in its "every man a capitalist" campaign to establish Social Security private accounts, is vulnerable to losing one of its core constituencies: the economically conservative, working-class Democrats and independents brought into the fold by Ronald Reagan in the days of hyperinflation and stagnation. These voters need to be reintroduced to the market and to the overall benefits of globalization.

A sense of how the globalization issue might begin to play in the near future could be gleaned from a recent speech by Robert Rubin at the 25th Anniversary of the Institute for International Economics. Rubin, who was Treasury secretary under Bill Clinton, is the Democratic party's intellectual godfather in economic policy and an internationalist by profession. He surprised attendees by launching a sly yet effective assault on globalization, arguing it was naive to believe in "comparative advantage" anymore—thus questioning a fundamental premise of free trade on which liberals and conservatives have largely agreed for many years. Democratic strategists who have seen a draft of Hillary Clinton's 2008 position paper on international finance and trade note how far she has moved in the direction of the antiglobalization camp.

More than a few Washington strategists are wondering whether the United States is tiptoeing into a new Jacksonian age, a term of relative U.S. isolation from global events with a general populist distrust of all things foreign and elite. Already, the much-praised China/Wal-Mart connection of years past, which provided American consumers with low-cost products and a higher standard of living, is being demonized as a trick by the international investor class to sell out core American industrial interests. Watch what Capitol Hill produces in the upcoming debate over a free trade zone with Peru. A trade deal with Vietnam appears to be dead.

Notice the irony of this new direction. Economist Gary Hufbauer, hardly a conservative, concludes that "the United States is $1 trillion richer each year because of globalized trade." That's more than 10 percent of GNP or an incredible $10,000 per household. Less than a decade ago, President Clinton supported NAFTA and other free trade agreements and frequently praised the benefits of a globalized economy. Today, the benefits

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of globalization are taken for granted. Worse, a politician running for Congress as the pro-globalization candidate would be signing his own death warrant. The growing skepticism toward globalization and all things foreign (including foreign wars) could, if unchecked, leave an already shell-shocked GOP even more on the defensive.

The one saving grace is that financial markets may simply be too powerful for the carping of politicians to matter. Democratic senator Charles Schumer of New York must have surprised himself a few years back by garnering 67 votes for his 27.5 percent tariff, unless the Chinese revalued their currency significantly. Today that legislation, highly unpopular with the senator's Wall Street constituency, is on hold. A similar reluctance to bang the antiglobalization drum has also resulted from the realization that London is fast replacing New York as the world's financial center. Still, most Washington politicians lack Schumer's sophistication. It is estimated that of the 28 Democrats who beat GOP House incumbents on Election Day, 22 are unabashed protectionists, with five being pragmatic protectionists. All six losing GOP senators were free traders. Even free trader Jim Jeffords of Vermont is being replaced by the reliably antiglobalization Bernie Sanders.

There is a new scent in the air, and if you're not convinced, consider the life and times of Lou Dobbs. The CNN television host suffered for years from flat ratings as the young upstart Fox News regularly cleaned his clock. Then Dobbs began pounding the antiglobalization theme, night after night bemoaning the American jobs lost to foreign competition. His ratings suddenly shot up by more than a third.

The record of globalization over the last quarter century is impressive—creating a historic golden age of both poverty reduction and wealth creation. The implications of a reversal in policy are clear. It is time for the pro-globalization forces to step forward and boldly make their case. ♦

Journalists and Judges

Neither can be trusted to make good decisions about secrecy. BY ROBERT F. NAGEL

In defending their decision to expose the Bush administration's secret bank-surveillance program earlier this year, the editors of the *New York Times* and *Los Angeles Times* emphasized that they had carefully weighed "the merits of publishing against the risks of publishing." Bill Keller and Dean Baquet earnestly assured readers that, had they been convinced "the risk of publication outweighed the benefits," they would have withheld the articles. Many people, aware of the obvious and powerful incentives that newspapers have in favor of publication, probably were not especially reassured by these protestations. Perhaps anticipating a skeptical reception, Keller and Baquet went on to suggest (among other things) that journalists, like the rest of us, do not want to be blown up by terrorists.

For anyone who nevertheless has doubts about turning over to reporters the job of assessing risks to national security, there may be comfort in the possibility that some existing or newly minted statute might make it a crime to publish information about secret antiterrorist programs. However, it is not clear that the judiciary can be depended upon to punish the publication of classified information. The courts, of course, would decide whether freedom of speech protects the publisher of such information. Interestingly, the relevant constitutional inquiry would be essentially the same one that Keller and Baquet said they had undertaken. Thus, an apparently sober and disinterested judiciary would review journalists' judgments about whether the value of the information outweighs the danger to the public of its disclosure. Unfortunately, judges are not especially good at risk assessment either. In fact, they wear many of the same blinders as reporters.

Consider the modern record of the Supreme Court. The most relevant decision is the famous *Pentagon Papers* case, decided in 1971. The justices were faced with executive department claims that printing this extensive history would do great harm, including disclosing military plans and the identity of spies, not to mention weakening the nation's alliances and prolonging the Vietnam war. The Court declined to prevent publication largely on the ground that the government had not demonstrated sufficient danger.

In itself, this result is not necessarily dismaying. But it is dismaying that the justices came to this conclusion without having studied—much less having had experts analyze—the 47 volumes at issue. Before oral argument was held, most of the justices had never even visited the room where the papers were being kept. Indeed, Solicitor General Erwin Griswold, representing the government at that argument, had not had time to read the documents. The case was effectively decided within a day or so after the argument, so there was no opportunity for any of the justices to study the massive report.

Whether the justices' guess about the risk of harm from disseminating the *Pentagon Papers* turned out to be right or wrong, the simple fact is

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that they were willing to decide matters of great complexity and urgency in a state of substantial ignorance. In such a state it was not difficult to dismiss, as several did, dangers that (while possibly extremely serious) might be somewhat remote or uncertain. If the majority had held that the First Amendment requires the public to accept the risk of any and all harms resulting from the publication of classified information, its extreme haste would have been unwise but legally irrelevant. Instead, the justices preferred to engage in a pretense of evaluating the danger to national security without actually doing any such evaluation.

Many legal analysts regard the justices' haste in the *Pentagon Papers* case as having limited significance because it was a consequence of the government's unusual effort to prevent publication (as opposed to punishing it afterwards). But the Court is often cavalier in its judgments about harm to the public. A much more ordinary case, decided in 2001, illustrates the point.

In *Bartnicki* v. *Vopper*, the Court held that under certain conditions it violates freedom of speech to impose money damages on a person who broadcasts the contents of an illegally intercepted cellular telephone conversation. (In this case, a radio station, reporting on a labor dispute, had aired a taped phone call between union officials, provided by an anonymous third party.) The Court had to acknowledge that, as Congress had found, publicizing private conversations does harm to private relationships; in fact, the damage has free speech ramifications because exposure inhibits the development of ideas that can take place during private discussions. But the Court declared that such privacy interests are less important than the public's need for information on a matter of public concern.

The justices, however, had no way of knowing how much harm to private relationships would be done by disclosures of this sort and hardly pretended to know. Nor did the Court have any way of knowing how much important information would actually be unavailable for public debate if a remedy for disclosure were allowed. The justices were not in fact balancing anything. They were, again, guessing.

The Court's casual evaluation of risk and benefit in these two cases is not inexplicable. In fact, many of the reasons journalists cannot be expected to assess risk accurately apply to judges as well.

The first reason is that both judges and journalists have highly important tasks and are keenly aware of this fact. Judges view themselves as responsible for upholding the rule of law, and reporters see themselves as responsible for making democracy work by keeping the public informed. The importance of these roles means that the imposition of costs and risks on others can sometimes be experienced as a virtue, as when a judge resolutely enforces the exclusionary rule by freeing a criminal, or when a journalist defames a public figure in the urgent pursuit of truth. The willingness to impose harm on others is seen as evidence that a judge is being just, or that a journalist is being courageous.

A second reason is that judges and reporters work in an adversarial atmosphere. Judges are accustomed to hearing one argument or account of events set against another, while journalists frequently play one source against another. Much of their work depends on evaluating what is presented. Both judges and reporters come to think that it is the responsibility of others to articulate and to persuade; if the argument isn't made or the data aren't produced, it does not go into the opinion or into the story. Adversarial instincts can thus lead to a conflation of the quality of an advocate's performance with truth. Bill Keller, for instance, dismissed the government's argument that the banking story would lead terrorists to change their financial tactics partly on the ground that "the argument was made in a half-hearted way." Danger, needless to say, can exist despite a weak presentation.

A third reason is that both judges and journalists sit in constant review of claims that government has failed in some way. Official omissions and mistakes, of course, are the gist of both lawsuits and newspaper stories. This bleak perspective naturally produces distrust and even disdain that can lead to the systematic undervaluation of official predictions of harm. Indeed, the public editor of the *New York Times*, in a "mea culpa" last month, wrote that while he had "strongly supported the *Times*'s decision to publish its June 23 article on a once-secret banking-data surveillance program," he had subsequently changed his mind. Rather than dispassionately weigh the risks and benefits of disclosure, "I fear I allowed the vicious criticism of the *Times* by the Bush administration to trigger my instinctive affinity for the underdog and enduring faith in a free press."

Finally, while their roles are highly significant, neither judges nor journalists have primary responsibility for setting or implementing public policy. They are, to a degree, bystanders. This can produce unrealistic expectations about those bold enough to be primary players. From the sidelines it is easy not only to distrust the judgments of those who hold the levers of power, but at the same time to think that these powerful people *should* be able to head off damage or minimize risk. And, in any event, if those in the legislative and executive branches do not prevent another terrorist calamity, the finger of responsibility will be pointed at them. The judges and journalists, who had earlier claimed for themselves the authority to assess danger to the nation, will by then be safely offstage.

In these perilous times, it is a serious business to balance the value of exposing secret information against the risks. Congress and the executive branch should not cede this ground to newspaper reporters and federal judges. ♦

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The Veil Controversy

Islamism and liberalism face off.

BY OLIVIER GUITTA

IN 1989, the first *hijab* incident in Europe took place in Creil, a suburb of Paris, when three high school girls tried to go to class wearing the Islamic headscarf. The students were expelled. Fifteen years later, with the *hijab* spreading fast among Muslims in France, the government formally banned the wearing of religious symbols in public schools. At the time, most European countries criticized French "intolerance" and deemed the issue a uniquely Gallic problem. But it wasn't. Today most European countries—and a number of Muslim countries—are debating what to do about this increasingly problematic sign of Islamization.

The British were among the most vocal critics of the French ban—back when they were still quite pleased with their own multicultural model. But on October 5, ex-foreign minister Jack Straw revealed that he regularly asked women who came to see him wearing face veils to take them off. Straw pointed out that veils are bad for community relations, and Prime Minister Blair added that the veil is a "mark of separation." This debate coincided with the decision of a British principal to fire an assistant teacher who refused to remove her full-face veil, or *niqab*, while teaching. Joining the fray was author Salman Rushdie, whose elegant contribution was the statement, "Veils suck." Tensions are rising, fueled by accusations of Islamophobia from some Muslim officials. There is fear that race riots could break out in some British suburbs.

Then there is Germany, where four states have barred public school teachers from wearing the *hijab*. Some brave female politicians born in Turkey spoke out on the issue in an October 15 interview with *Bild am Sonntag*. One of them, Ekin Deligoz, a Green party member of parliament, advised fellow Muslim women: "You live here, so take off the headscarf." She added that the headscarf is a symbol of female oppression. Because of her comments, Deligoz has received death threats and is now under police protection.

Finally, in Italy, where the *niqab* is banned, the controversy has reached new heights since the broadcast of a heated exchange on a television talk show. Right-wing member of parliament Daniela Santanche clashed with the imam of a mosque near Milan, Ali Abu Shwaima. Said Santanche: "The veil isn't a religious symbol and it isn't prescribed by the Koran." Retorted Shwaima: "The veil is an obligation required by God. Those who do not believe that are not Muslims. You're ignorant, you're false. You sow hatred, you're an infidel."

Coming from an imam, this rant carried almost the weight of a *fatwa*, or religious edict, in certain quarters, where it could be seen as a death sentence. Santanche has been given 24-hour police protection. She says she is speaking out because Muslim women forced to wear the veil have asked her to. She told the *Sunday Times*, "It's time to turn our backs on the politically correct. It's a question not of religion but of human rights."

And not only in Europe. Muslim countries are not immune to the controversy over the veil. In Egypt—where some 80 percent of women are now veiled, according to sociologist Mona Abaza—the dean of Helwan University has recently expelled female students for wearing the *niqab*. Interestingly, Soad Saleh, a former dean of the female faculty and Islamic law professor at the most prestigious Islamic university in the world, Cairo's Al-Azhar, confirmed that the *niqab* is not an obligation. Gamal al-Banna, brother of the founder of the Muslim Brotherhood, goes further: "Neither the Koran, nor the *hadith* require women to wear a headscarf."

But the country whose government is currently going after the *hijab* most vigorously is Tunisia. The wearing of the *hijab* has been spreading rapidly in Tunisian towns, prompting President Ben Ali recently to reactivate a 1981 decree banning the wearing of the *hijab* in government offices, schools, universities, and public places in general. His government views the *hijab* as one more sign of the unwelcome but growing influence of Islamists in Tunisian society. This past Ramadan, in a reversal of the standard pattern for Muslim religious police, Tunisian police were seen tearing headscarves off women in the streets.

The authorities consider the *hijab* unacceptable in a country that enshrined women's rights as long ago as 1956, with the banning of repudiation (male-initiated casual divorce), polygamy, forced marriage, and the granting of women's rights to vote and sue for divorce. Ben Ali sees women "as a solid defense against the regressive forces of fanaticism and extremism."

Interestingly, the Tunisian author and feminist Samia Labidi, president of A.I.M.E., an organization fighting the Islamists, recounts that she personally started wearing the veil before puberty, after Islamists told her the *hijab* would be a passport to a new life, to emancipation. After a few years, she realized she had been fooled and that the veil made her feel like she was "living in a prison." At first, she could not bring herself to stop wearing it because of the constant psychological pressure. But the 1981 ban on the *hijab* in public places forced her to remove it, and she did so for good.

Labidi's experience suggests that

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Getty Images / Christopher Furlong

Anti-Jack Straw demonstrator in London, October 2006

in both Tunisia and France the recent banning of the *hijab* has actually helped Muslim women who are subject to Islamist indoctrination.

For Islamists, the imperative to veil women justifies almost any means. Sometimes they try to buy off resistance. Some French Muslim families, for instance, are paid 500 euros (around $600) per quarter by extremist Muslim organizations just to have their daughters wear the *hijab*. This has also happened in the United States. Indeed, the famous and brave Syrian-American psychiatrist Wafa Sultan recently told the *Jerusalem Post* that after she moved to the United States in 1991, Saudis offered her $1,500 a month to cover her head and attend a mosque.

But what Islamists use most is intimidation. A survey conducted in France in May 2003 found that 77 percent of girls wearing the *hijab* said they did so because of physical threats from Islamist groups. A series in the newspaper *Libération* in 2003 documented how Muslim women and girls in France who refuse to wear the *hijab* are insulted, rejected, and often physically threatened by Muslim males. One of the teenage girls interviewed said, "Every day, bearded men come to me and advise me strongly on wearing the veil. It is a war. For now, there are no dead, but there are looks and words that do kill."

Muslim women who try to rebel are considered "whores" and treated as outcasts. Some of them want to move to areas "with no Muslims" to escape. However, that might not be a solution, as Islamists are at work all over France. The Communist newspaper *L'Humanité* in 2003 interviewed two Catholic-born French women who said they had converted to Islam and started wearing the *niqab* after systematic indoctrination by the Muslim Brotherhood.

In light of this, wearing the *hijab* may or may not be a manifestation of the free exercise of religion. For any individual, it may reflect the very opposite—religious coercion. In fact, millions of women are forced to wear the veil for fear of physical retribution. And the fear is well founded. According to Cheryl Benard of RAND, every year hundreds of women in Pakistan and Afghanistan alone are killed, have acid thrown in their faces, or are otherwise maimed by male fanatics.

Given the Islamists' ferocious determination on this point, it is worth asking: Why exactly is covering the female so important to them? The obvious answer is that it is a means of social control. Not coincidentally, it is one of the only issues on which Sunni and Shia extremists agree. It's not by chance that use of the *hijab* really took off after Iran's Islamic regime came to power in 1979. Some Shiite militias in Iraq have actually started forcing women—Muslim or not—to wear the veil or face the consequences.

If this issue were not vital for Islamists, how can one explain their reaction when France banned the *hijab* in public schools? Al Qaeda's number two, Ayman al Zawahiri, "strongly condemned" President Chirac's decision and threatened actions against France. Likewise, Sheikh Fadlallah, founder and spiritual leader of Hezbollah, wrote to Chirac threatening "likely complications" for France. Mohammad Khatami, former president of the Islamic Republic of Iran, called on the French government to "cancel this unjust law."

Commenting recently on the veil and the Islamists' strategy, Professor Iqbal Al-Gharbi, from the famous Islamic Zaytouna University in Tunis, explained: "The veil is just the tip of the iceberg. Behind the veil, there is the regressive interpretation of the *sharia* [Koranic law]. There are the three essential inequalities which define this interpretation: inequality between man and woman, between Muslim and non-Muslim, between free man and slave."

"Islam is the solution" is the motto of the Muslim Brotherhood. Instead, the real solution to the veil problem in Europe and in modern countries elsewhere is the defeat of radical Islam, making possible the peaceful integration of normal Muslims into Western societies on Western terms. ♦

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Tear Gas and Running Dogs

The scandal-rocked government of Taiwan

BY DAVID DEVOSS

Taipei

IN TAIWAN, President Chen Shui-bian, America's longest-tenured ally in East Asia, is suffering a seven-year slump. Indeed, Chen leads an administration that is moribund thanks to a toxic political culture that makes Washington partisanship almost seem collegial.

The immediate cause of Taipei's governmental crisis is an extended corruption investigation that two weeks ago resulted in Chen's wife, Wu Shu-jen, being indicted for misappropriating $450,000 from a secret state affairs fund. Three other members of the Presidential Office also face prosecution, as does Chen's son-in-law, who is accused of insider trading. Chen can't be charged with anything as long as he's in office.

In his defense, Chen says he has no motive for embezzlement, pointing out that since taking office in 2000, he voluntarily has relinquished half his salary, thereby saving taxpayers a cumulative $1.38 million. The point is lost on Chen's detractors, who rally every weekend to demand his resignation.

Chen's opponents in the Legislative Yuan, which is controlled by the Nationalist Chinese party or Kuomintang (KMT) and the smaller People First party (PFP), don't have enough votes for impeachment. But together they can block critical legislation and freeze or reduce appropriations. Earlier this year, the KMT cut 21 percent of Taipei's Mainland Affairs Council budget, and then froze half of what remained. This month it struck again, slicing $3.7 million from the presidential travel budget and a fund used to administer overseas diplomatic offices.

The KMT's most controversial action has been to stall the purchase of $18 billion in U.S. military equipment. The package originally included 12 P-3C Orion maritime patrol aircraft, 8 diesel-electric submarines, and 6 Patriot Advanced Capability-3 anti-missile batteries. Despite being whittled down to a fraction of its original size, the transaction has been blocked more than 60 times, to the distress of American Institute in Taiwan director Stephen Young, who functions as the de facto U.S. ambassador. Late last month, Young took his concerns public at a Taipei news conference, where he said, "Taiwan cannot continue to allow its vital security interests to be held hostage to domestic partisan concerns."

"I think [certain legislators] are acting against the best interests of Taiwan," Young continued, "and I simply hope they will reflect on this, and reflect on the importance to Taiwan's security of addressing this in a non-partisan manner."

Response to Young's comments came swiftly. PFP party leader James Soong denounced Young's "ultimatum" and said he'd never approve a "fool's arms purchase." Borrowing the playbook of Mao's Red Guards, opposition demonstrators then stormed the legislature shouting, "Supporters of arms purchases are running dogs!" When Chen Shui-bian's Democratic Progressive party (DPP) finally managed to get a hearing on weapons procurement scheduled, one legislator opposed to the deal popped a canister of tear gas in the committee chamber to forestall serious discussion.

There is no doubt that Taiwan is under the gun. Beijing has close to 900 ballistic missiles, many of them on mobile launchers, targeted on Taiwan. Mainland China's military boasts a growing array of sophisticated weapons systems that range from 4 new classes of modern destroyers to multi-mission tactical aircraft and a fleet of 80 diesel submarines.

By comparison, the newest additions to Taiwan's fleet are two 23-year-old destroyers built for but never delivered to Iran that were decommissioned by the U.S. Navy before Taiwan plucked them from the mothballs last year.

"China's principal military modernization aims are to deter Taiwan from moving toward independence; to defeat and occupy Taiwan if it declares independence and to accomplish this before U.S. or other military assistance can arrive; and to deny U.S. forces the ability to intercede effectively in such a conflict," the U.S.-China Economic and Security Review Commission said in its 2006 report released to Congress earlier this month. "The Commission concludes that Taiwan's ability to defend itself from attack and intimidation is in doubt and that China could impede the United States' ability to intervene successfully in a crisis or conflict."

KMT officials insist they aren't soft on defense and that the party supports buying Orion patrol aircraft. "We don't like those guys any more than you do," says KMT legislator Su Chi, referring to mainland Communists. "But we have to manage the threat wisely," he says. "Our salvation does not lie in a military approach."

Mayoral elections in Taipei and the southern port city of Kaohsiung next month are seen as referenda on which party will be better at managing mainland China. The DPP, Taiwan's version of Europe's Social Democrats, has its roots in the agricultural south and reflects the desires of native Taiwanese for a country that exists independent of China. Since becoming president of the Republic of China six years ago, Chen has proposed rewriting the constitution, tried to negotiate with China only on a state-to-state basis, and sug-

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gested changing the name of his country from the Republic of China to Taiwan—all moves that enraged Beijing and alarmed Washington, which is pledged to defend the island under the Taiwan Relations Act.

Based in the industrial north, the KMT, whose roots trace back to Sun Yat-sen, subscribes to the mainland's One China philosophy and believes an unspoken pledge never to seek *de jure* independence is a fair price to pay for permanent peace and a much larger slice of China's booming economy. Says KMT chairman Ma Ying-jeou: "Instead of pursuing a pragmatic path over the past few years, Taiwan has been too 'idealistic' for its own good."

The Kuomintang's main problem, explains George Shuang, president of the *Min Sheng Daily* newspaper, is that "30 percent of the electorate wants independence." Taking independence off the table, Shuang and others caution, is difficult in a democracy where people control their future. "You can't meet a military threat by giving up the democratic principle of self-determination," says Lai I-chung, director of the DPP's Department of Chinese Affairs.

China may have the capability to crush Taiwan, but there is no evidence it poses an immediate threat. In March 2005, the Tenth National People's Congress in Beijing passed an Anti-Secession Law mandating military force if Taiwan ever declares independence. Ironically, the law backfired. Pro-independence sentiment actually increased following the threat, and China once again emerged as the region's bully.

"Beijing no longer uses harsh words," says Joseph Wu, an Ohio State Ph.D. who heads Taiwan's Mainland Affairs Council. "Today, China's preferred tactic is to suffocate us internationally."

Taiwan is losing the battle for recognition. In recent years, the number of countries with which it has diplomatic relations has fallen from 31 to 24. Last year, Senegal cut ties with Taipei after China promised $600 million in development assistance. The most recent defection occurred this past August 4 when Chad switched alliances just as Taiwan premier Su Tseng-chang was boarding a plane bound for N'Djamena for a state visit. "China wanted the announcement made after the plane was in the air so Su would have to scramble to find a place to land," Wu scowls. "We averted the embarrassment, but it could have been dangerous since Chad was the only country in North Africa that recognized us."

For China, turning Chad around was a twofer: a chance to embarrass Taiwan and an opportunity to secure yet another source of natural resources. It is a pattern Taipei knows well.

China is the main supplier of arms to the Janjaweed fighters in Darfur and, not coincidentally, the prime importer of Sudanese oil. Recently, Beijing began arming rebels in Chad.

"The president of Chad asked us for weapons so its soldiers could fight the rebels armed by China, but we had to say no," recalls a senior official in Taiwan's Ministry of Foreign Affairs. China promised to stop supplying the rebels if Chad agreed to lock Taiwan out, but so far Beijing has not honored the agreement.

Within weeks of expelling Taiwan and establishing diplomatic relations with Beijing, Chad asked Chevron to leave the country. The concession to explore for oil in Chad today is held by the China National Petroleum Corporation.

Diplomatic isolation combined with the mainland's booming economy is causing Taiwan to fall behind its neighbors. Six years ago, Taiwan's GDP was 30 percent of China's. Last year, it equaled only 18 percent of the mainland's. In 1997, the year of Asia's economic collapse, per capita income in South Korea was two-thirds of Taiwan's. Today, Korea's per capita income exceeds that in Taiwan. Indeed, Taiwan's per capita income of $15,291 has barely moved at all since 2000. Six years ago, Kaohsiung was the second busiest port in Asia. Today it ranks No. 7 thanks to double-digit economic growth in China.

Compared with most Western economies, Taiwan's appears robust. Economic growth will top 4 percent this year and unemployment is relatively low. Eighty-two percent of the world's laptop computers, 40 percent of its digital cameras, and 70 percent of LCD screens come stamped *Made in Taiwan*. Not only does bilateral trade between Taiwan and China exceed $70 billion, but Taiwan also enjoys an annual trade surplus with China close to $30 billion.

From an investment point of view, Taiwan could do much better if it were willing to embrace China and leave independence to future generations. At present, Taiwanese companies can't invest more than 40 percent of their capital in China. As a result, billions of dollars flow untraced and untaxed through shell companies established in Hong Kong and the British Virgin Islands. Even more frustrating is the lack of direct flights. It would take 30 minutes to fly across the Taiwan Strait from Taipei to the Special Economic Zone of Xiamen on the mainland. Instead, businessmen must take the better part of a day and fly to Xiamen via Hong Kong or Macau.

"Taiwan is the perfect place for research and development because of its patent protections, but R&D centers need to be close to factories," says Richard Vuylsteke, executive director of the American Chamber of Commerce in Taipei. "Moving people and goods through a third city adds expense."

With Chen Shui-bian's popularity hovering around 18 percent and the DPP in disarray, Kuomintang leaders sense that events may start turning their way. The party can't regain the presidency until 2008, but if enough DPP legislators defect or become independents, the KMT may become a decisive force instead of an irritating impediment.

"Restrictive policies that keep China at arm's length are at odds with the trend toward globalization," says Ho Szu-yin, director of the KMT's Department of Overseas Affairs. "We can't achieve security without wealth, and for Taiwan wealth depends on having a harmonious relationship with China."

That, at least, is the KMT's view—and the KMT may well be running Taiwan in less than two years. ♦

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Europe's Future

The Senegalese (and the Malians, Mauritanians, Gambians, et al.) are coming to Spain—and staying

By Christopher Caldwell

Dakar/Santa Cruz de Tenerife

In late July, a brightly painted, sun-baked Senegalese *lothio*—a narrow-beamed traditional fishing boat, shaped like a 25-yard-long plantain and used for netting fish on the shores of West Africa—crashed onto La Tejita beach on the southern coast of Tenerife, one of Spain's Canary Islands. The boat had been fitted with two outboard motors and global-positioning devices; stocked with barrels of water and spare gasoline, rice, powdered milk, salted *mérou* (a fish), cured meat, biscuits, tubs of the lemon-and-onion sauce called *yassa*, lifejackets, and a supply of Efferalgan for seasickness; and loaded to overflowing with many dozens of young men hoping to enter the European Union to work illegally.

La Tejita beach is popular with German tourists. The western part of it is nudist, or "naturalist," as the brochures say. One wonders whether the first sight that greeted these generally sober and hard-working Muslim migrants as they approached their Eldorado was the wagging breasts and swinging scrota of the gray-haired German bourgeoisie at leisure. Certainly the dozens of bathers who rushed to give first aid to the weary voyagers were not taken by surprise. Boats bearing clandestine workers have been arriving on Spain's southernmost beaches for more than a decade. Granted, it used to be a piecemeal affair. The small North African craft the Spaniards call *pateras* would arrive filled with a dozen or so Arab or Berber laborers. Now the traffic has been industrialized. Immigrants come in these huge *lothios*—or *cayucos*, to use the Spanish word—the largest of which hold more than 150 people. There were days towards the end of last summer when a half-dozen of them were looming on the southern horizon at the same time.

Thus far in 2006, 30,000 "boat people" have landed on Canary Island beaches—already six times last year's tally. The great majority come from Senegal. There are also Malians and Mauritanians, Gambians and Guineans, Congolese and Cameroonians, and others whom Spaniards don't usually think of as their neighbors, but who now consider Europe just a hop, skip, and a jump away. There are occasional boats full of Chinese and Bangladeshis, too. Spain isn't the only destination for boats pouring out of other continents. The Italian islands of Lampedusa and Pantelleria have received well over 10,000 boat people this year. Migrants from East Africa, Pakistan, and India are beaching boats launched in Libya on the shores of Malta and Greece. And boats are not the only way to bust into the E.U.—there are also land routes through Eastern Europe, and the majority of immigrants to Europe still get there by flying in as tourists or students and then overstaying their visas.

But Spaniards have started to note that, in contrast to previous waves, these migrants seem to be coming *to*, not through, their country. Spain, which a decade ago thought it had an emigration problem, now finds itself the top immigrant destination on the entire continent. Its population has jumped to 44 million people, thanks to almost 4 million new immigrants. Slowly, over decades, a lot of European countries have reached the point where about 10 percent of their population is of immigrant background. Spain is now about 10 percent first-generation immigrant, and this has happened overnight. Much of the present migration is to cities. Foreigners make up 19 percent of the population (and 28 percent of the workforce) in Madrid. The Valencia region is 14 percent foreign-born. The Raval area of central Barcelona, where immigrants were exotic up until the early 1990s, is now a "majority minority" neighborhood. It is in Spain, too, that a series of questionable immigration-policy decisions have riled public opinion, and threaten to poison relations with other countries in the European Union, who worry that Spain's lax immigration policies are creating a problem not just for the country but for the continent.

Come to sunny Spain

Roughly speaking, Spain has the normal European relationship to immigration. It needs workers badly, both to do grunt work and to prop up its welfare

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state, but the public is not exactly thrilled. In one sense, the Spanish problem is relatively mild. After the death of dictator Francisco Franco in 1975, a part of the country's elites repudiated the mid-twentieth-century statism that went unexamined elsewhere. Particularly under the government of José María Aznar in the late 1990s, Spain sought ways to make the state leaner and more business-friendly.

But in another sense, Spain's immigration problem is more severe than any other in Europe. Its population seems to have lost the appetite for procreation altogether. The average woman has 1.32 children, a figure that would have looked like a misprint to any social scientist before the 1980s. As a result, Spain's native-born population will begin contracting with shocking rapidity after 2014, and it is too late to do anything to stop it. Already Spain has gaping holes in its labor supply. The strawberry fields and clementine groves of Andalusia require tens of thousands of pickers every year. The tomato-growing greenhouses near Almería rely on Moroccan labor, and Eastern Europeans staff many tourist hotels. During the recent regional elections in Catalonia, when candidate Artur Mas urged that newcomers be held accountable to measurable assimilation criteria, the left-wing daily *El País* ran a picture of the Spanish factory that made Mas's campaign posters. It was manned by Pakistanis, of whom Barcelona has about 30,000. (In November, Pakistan announced it was opening a consulate there.) Naturally, sub-Saharan Africans would like their own piece of this economy.

"Spain is not the only rich country in the world," says Lucia Figar, the immigration minister for Madrid. "Why are they coming here?" It is an excellent question. In the case of the Senegalese, there are two commonly proffered answers. One is that Senegalese will go wherever there is work. As many as 2 million of Senegal's 11 million people are working abroad. The 45,000 Senegalese in Italy are tireless tomato-pickers and careful construction workers, and also do many of the jobs in the high-end leather industry. In Spain, they are best known for *top manta*, the practice of selling CDs (usually pirated) and luxury goods (usually fake) on top of a blanket (*manta*) laid out on the sidewalk. French and British authorities have a reputation for coming down hard on this practice, Italian and Spanish ones for winking at it.

The other, more hotly disputed explanation for the wave of Senegalese is that Spain's immigration controls are, by European standards, uniquely lax. Spain is the unlocked side-door of the European Union's house. And since the E.U.'s Schengen agreements eliminated old frontiers between member states almost a decade ago, once you get into Spain, there are no border guards to keep you out of the Netherlands, Germany, or wherever you choose to settle. If you imagine that Senegalese tend to gravitate towards France, where they speak the language and have a big established community, you are wrong. Experts at ENDA Tiers Monde, a Dakar-based think tank, say that France, while still popular for students, is far down on the list of desired work destinations, owing to its rigid labor market and relatively tough immigration laws. Italy and Spain are the countries most attractive to the latest wave of newcomers. In October, a network that had trafficked hundreds of freshly arrived Senegalese by train between Barcelona and Milan was broken up by Italian police.

Spanish laws towards foreigners are generous, and punctilious about human rights. They also invite chicanery. You cannot detain an immigrant for more than 40 days unless you charge him with a crime, and you cannot deport an immigrant unless you know where he comes from. If he can keep his mouth shut for a month or so, or if he can misdirect the bureaucracy until his 40 days have elapsed, he's in like Flynn. A common way to throw authorities off balance is to pretend to be from somewhere else. Since Spain does not have an extradition treaty with strife-torn Ivory Coast, for instance, many of the Senegalese who have arrived by boat in recent weeks have claimed to be from there (even though the two countries speak mutually exclusive sets of African languages). In October, Pakistan demanded that a half dozen boat people (out of hundreds taken off a rusty old freighter and "repatriated" there) be sent back to Spain. They turned out to be from Indian Kashmir, not Pakistanis at all. You have to be pretty unlucky to get repatriated. Of the 30,000 Senegalese who have arrived this year, only 4,000 have been sent back. The others are put on flights to the Spanish mainland, with an expulsion order in their pocket. Such orders are virtually never enforced. For a migrant, this is roughly a 7-out-of-8 chance of settling in Spain indefinitely: excellent odds.

In early 2005, Spain's Socialist prime minister José Luis Rodríguez Zapatero made life much easier for Spain's undocumented immigrants. He proposed to amnesty roughly a million of them, provided they could show they had been working in the country for several months. The opposition whittled the number down to about 700,000. Such amnesties were not new. The Aznar government had passed five of them since the mid-1990s. But Zapatero's was simpler and more open to abuse, and bigger than all previous amnesties combined. What is more, by announcing it many months in advance, he opened a window that would lure *new* immigrants into the country in order to set up a paper trail that would render them undeportable. And because of free movement between European states, the amnesty harvested the fury of politicians abroad, including the French interior minister and presidential hopeful Nicolas Sarkozy. Spain was making immigration policy for other countries, he warned. And it was giving incentives to the most work-

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shy of its immigrants to move to European states with more generous welfare benefits. In a series of knock-down, drag-out meetings between European justice and interior ministers in Finland this summer, the E.U. countries called for an end to Spanish-style unilateral amnesties.

But that does not exhaust the reasons to come to Spain. Under a 2000 law, registering with the local census (the *padrón municipal*) permits access to health care and other services. An immigrant can be eligible for welfare services while existing below the radar of the enforcement authorities. The upside of such registration is that Spain may have a more accurate count of its immigrants than other countries. The downside is that it has rapidly mounting welfare dependency—300,000 immigrants now live off of social benefits. All told, the combination of easy admission and generous welfare has created what the newspapers call an *efecto llamada*. The most graceful way to translate the term is to say that Spain is not just accepting immigrants, it is summoning them.

Even the refugee camps in the Canaries—while overwhelmed by the waves of newcomers—are welcoming. Authorities have been easygoing about allowing Senegalese elders to organize camp life, and have done their best to ease overcrowding. In addition to the three centers in Tenerife and one in Gran Canaria, other facilities have been adapted to accommodate the overflow. The camp at Hoya Fría had gigantic circus tents erected outside it for much of the summer. A military barracks at Las Raices was converted to migrant housing. So was a discotheque in La Gomera. These facilities are almost empty now, but only because the weather will be too rough for navigation until the turn of the year. The natives of the Canaries do not want more such places built. This is a conservative part of Spain, after all, where there are still streets named after Franco, and where, up until a couple of years ago, the "immigration crisis" that roiled local government meetings concerned the 10,000 or so retirees from Germany and elsewhere in Europe who get added to the islands' population of 2 million every year.

Fished out

In late October, Faty Dembel, who immigrated from Senegal ten years ago and now runs Casa Africa, an institution in Valencia meant to spread African culture and to train young immigrants, spoke to a reporter for the Spanish newspaper *ABC*. "Judging from television," he said, "you would get the impression that everyone in Senegal wants to come to Spain, but that is not the case."

Things have apparently changed in Senegal since he left. Everyone *does* want to come to Spain, it seems. In the past year, there have been departures en masse from Saint-Louis, the former capital of French West Africa in Senegal; and Casamance in the south, site of an on-again, off-again guerrilla war. Departures from the area around Dakar, the capital, began only in October 2005. Boats were launched in the shadow of the giant beachside mosque at Ouakam, from the touristy coastal village of Ngor, and from the waterfront at Yoff, next to Léopold Sédar Senghor International Airport. In mid-October, in the company of two local sociologists, I visited Hann Oualaga, Hann Bel-Air, and Thiaroye, all fishing villages of Senegal's Lébou people which in recent years have been swallowed by exurban Dakar. Already Thiaroye has been, for practical purposes, evacuated by its young men, leaving only women, children, and the aged. Bargny, down the coast, had to forfeit its games in last summer's annual soccer tournament when it was discovered that its entire team had boarded *cayucos* to Europe.

These villages used to be pretty well off. At Hann Oualaga, the dusty streets are shaded in places with pretty, feather-leaved nim trees, and the beaches are lined with summer homes in "seashell style," built by the French and Middle Eastern postcolonial elite in the 1970s. As the neighborhood has filled up with poorer people, the houses have been abandoned, and now their courtyards are put to other uses, like drying fish. A couple have been taken over by traditional Senegalese Muslim fraternities. The locals have managed to jerry-build public utilities with considerable ingenuity and limited means. The place goes pitch-black for minutes and sometimes hours at night. Sewage trickles from the mouth of a yard-wide corrugated iron pipe near the beachside market at Hann Oualaga, where local fishermen unload goods off their boats.

Near the beach in Thiaroye, we visited a girlish-looking woman named (let's say) Oumy, in a one-room concrete lean-to where she lived with her mother-in-law and her two children. She had a "job" of sorts, cleaning the polluted beach as part of an ecological program sponsored by a European foundation. It didn't bring in much. During our visit, a neighborhood debt-collector came to demand that she settle her outstanding balance for some washing powder she had bought days before. It was for 19 cents in the local currency. Oumy's one-room concrete house has a dust courtyard, a floor that consists of a few shards of linoleum, and one piece of furniture—a bed. But she does have a color television that runs well enough on pirated electricity to pick up the news, in French, from Europe. Television is the source both of the values that make people want to go to Europe and the practical information that allows them to get there and stay.

Oumy was in a celebratory mood. Her husband had left in a big *cayuco* in late August and had been apprehended on a beach in the Canaries. Since the authorities knew who he was—it was his second try—he couldn't claim to be Ivorian, as most of his boatmates did. But no one had any time to process him, either. His 40 days were up and he had just

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called from the Red Cross to say he had been released. It may sound odd, but almost everyone in Senegal, whether literate or not, has a detailed and accurate understanding of Spanish immigration law and the way it is applied in practice—the bit about the 40 days, whether they monitor your phone calls (they do, unless you make them from the Red Cross), and so on. Part of the reason that *cayucos* leave in flotillas, some authorities think, is to overwhelm the immigration bureaucracy: The more cases the government needs to find translators, interrogators, and analysts for, the better everyone's chances of getting to the end of their 40 days. For the same reason, exhausted travelers seldom flee into the trees when their *cayucos* hit the beach, according to authorities in the Canaries. Why, after all, should they expose themselves to uncertainty? They simply wait to begin their next voyage: through a bureaucracy they know reasonably well by word of mouth and are reasonably confident of being able to navigate.

Senegal's economy has been deteriorating for decades. Drought and bad harvest struck in the early 1970s, spurring many farm laborers to move into the fishing industry. In more recent years, traditional African destinations for short-term emigration—such as Gabon and the Ivory Coast—have been shut off by political turmoil. Less traditional destinations—Europe and the United States—have been closed down by increasing vigilance at airports. And the fishing industry has collapsed. Almost all Senegalese, rightly or wrongly, blame fishing accords their country signed with the European Economic Community (as the E.U. then was) in the 1970s and '80s. Most migrant boats are now captained by ex-fishermen, people who really know their way around the eastern reaches of the Atlantic. Leo González, of the Tenerife office of Salvamento Marítimo, Spain's coast guard—which has rescued 18,000 people in its boats since last spring—said, "If you judge from the way they sail, they are very good skippers." And they are well equipped. The fishing accords called for the training of Senegalese fishermen in new navigational technologies, such as GPS.

Karen Rasmussen

This set of circumstances arose just as Spain and other European countries were blocking various reliable short routes that had allowed North Africans (and ambitious sub-Saharan Africans) to enter Europe pretty much at will, even after legal immigration was officially closed off by many countries in the 1970s. The Strait of Gibraltar has been heavily patrolled for several years now. Spain's African enclaves, Ceuta and Melilla, have been sealed off with gigantic ditches and sophisticated double fences since a series of incidents a year ago, when hundreds of Africans tried to storm the borders, and Moroccan police shot ten of them dead. In recent years people have begun migrating from all across Africa to the stretch of Moroccan coastline between Tarfaya and Laayoune, both only 60 miles to Fuerteventura in the Canaries. Put a 35-horsepower motor on a *patera*—the Spanish word for the traditional Moroccan fishing skiff—and you can make the trip in half a day.

But early last summer, Moroccan authorities—for considerations from Spain that will likely never be made public—began policing their own coasts. What happened next surprised Spaniards. Cutting off the short route only made mass migration more attractive to people in ever farther-flung regions of Africa. Nouadhibou, the northernmost port in Mauritania, the next country south from Morocco, began filling up with tens of thousands of Africans willing to go *500* miles to the Canaries. Mauritania, though, began accepting Spanish law enforcement missions in the course of the summer. So the traffic started passing through Saint-Louis, the northernmost port in Senegal, 830 miles from Spain. They are coming from Dakar, too, of course, 100 miles farther still. Wherever you leave from, if you keep heading north, you will eventually see, from 70 miles off, the gigantic volcano of Teide on Tenerife, rearing two miles straight up out of the ocean.

Some bigger boats have even come from Guinea Conakry, 400 miles beyond Dakar. Experts, including those in the Salvamento Marítimo, reckon that, beyond Guinea, a direct trip to Europe in a *cayuco* is logistically impossible, given the weight of gasoline and fresh water the boat would

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have to carry, the wear and tear on engines, etc. Maybe that's true, but the certitude that any given place is too far to immigrate from has never been borne out yet.

Barcelona or death

Senegal receives more aid per capita than almost any country in Africa. It is poor enough to need such infusions, but also—in theory, at least—peaceful, well-educated, and democratic enough to use them productively. Between international charity and an admirably robust system of more traditional, family-based assistance, nobody is starving there. "They are not coming to Europe because they don't have bread," says Papa Sow, a young, Senegal-born sociologist who works in Barcelona. "They're coming because they don't have hope." They're battling for a life more meaningful than the half-employed, underutilized dependency and mediocrity that stretches out before them.

That they are willing to risk their lives on the high seas says something heroic about them, of course, but also something macabre. There have been 600 cadavers pulled out of African waters this year, according to Froilán Rodríguez, the immigration minister for the Canary Islands. In August, the European commissioner Franco Frattini of Italy alluded to a possible 3,000 dead. Angel Acebes, secretary-general of Spain's opposition Popular party, has thrown out the figure of 6,000. Some boats are lost altogether. The Canary current is where the Gulf Stream turns abruptly south along the African coast and then rushes west, back across the Atlantic. This past spring, a boat filled with immigrants who had left Senegal in January and suffered an engine failure was found floating, its passengers long dead, in waters off Barbados.

Even if everything goes perfectly, crossings are harrowing. These boats run at 5 or 10 knots, which will get you to the Canaries in 7 to 8 days if the weather is good and the seas are calm. There are no toilets and the stink, naturally, is unimaginable. There is no place to lie down and the benches offer nothing to lean back on. This means an almost sleepless week for many people.

But if you get on a bad boat, as 17-year-old Malang Kalela of Ziguinchor did, all bets are off. I met him at the Machado Escuela Hogar, a school for troubled teens near the village of Esmeralda that has been converted into a camp for underage migrants in Tenerife. Both motors on Malang's boat conked out, and only a good captain kept it, and the 80 passengers aboard, from drifting westward into oblivion. It arrived in Tenerife on its thirteenth day at sea, after the food, fresh water, and seasickness pills had run out. Worse, two people had leapt off the boat in the middle of one night, and drowned. Such incidents are common. Many of the migrants have never been at sea before and don't know how to swim. (Two whom I met in the camp for minors—Pape Omar Diop, 13, of Saint-Louis, and his 17-year-old friend Ass Ndiaye—kept referring to the ocean as *le fleuve*, French for "the river.") Almost everyone gets confused, and some get delirious, from the lack of food and water and the overpowering tropical sun. In one episode much discussed in Dakar, a boatful of people were gripped by a vivid collective hallucination that a *deum*, a man-devouring spirit of West African religion, had found his way on board and was wreaking havoc. At least 20 panicked people drowned themselves rushing over the gunwales.

But Malang says he has no regrets. The often proclaimed motto of the migrants—which horrifies Senegalese public opinion and would horrify Spaniards if they ever heard it—is *Barça mba barsakh*. Translated out of Wolof, this means "Barcelona or Death!" Barcelona in the sense of the soccer team, not the place. One of the kids at the camp near Esmeralda told me that when he got to the Spanish mainland he wanted to live in "Real Madrid" (another soccer team, of course). What courage! What ignorance! And how hard it is to say which of the two predominates.

Zapatero versus Europe

Spain's immigration policy is built on the idea that immigration is an inevitable part of the country's economic modernization. It just needs to be managed. Until two years ago, Spaniards were tranquil about this future. But there were two things they misunderstood. First, they thought immigration would pay for itself. But now Prime Minister Zapatero sees immigration as a reason for "more social policy, more spending on education, health and housing." Second, Spaniards thought they would get something other than the urban unrest and ethnic confrontation that their neighbors in France have faced. *Their* immigration would be an orderly matter of deferential Guatemalan nannies and diligent Bolivian harvest workers. To put it less euphemistically, Spaniards thought they'd get Latin Americans instead of Muslims.

And it's true that Spain's immigrant population (except in heavily Muslim Catalonia) is highly atypical of Europe's. Although Morocco is less than 10 miles away across the Strait of Gibraltar, well under a quarter of Spain's newcomers are Muslims. The Senegalese boat people might be an indication that the next wave of immigrants to Spain will be poorer, darker, and more Muslim than the last. But for now, aside from half a million Moroccans, Spain has few Muslim communities of significant weight. If one looks at the resources that Spain's regional and national governments have invested over the past decade to encourage legal immigration from Bolivia, Colombia, and Ecuador—including informational and public-relations campaigns and heavily staffed liaison offices in Latin capitals—it is clear that non-Muslim,

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Hispanophone immigration has been not just a matter of strong societal preference but also of governmental policy. The bloody Madrid train bombings of March 2004, unleashed by al Qaeda–linked Moroccans living in Spain, solidified the public's preference for Latin American immigration. But the bombings reversed the government's commitment to such immigration by bringing to power Zapatero's Socialists, who promised an "alliance of civilizations" between Islam and the West.

The result has been a rather plainspoken backlash against immigration. Mayor Alberto Ruiz-Gallardón of Madrid said recently, "Madrid is not—and does not wish to be—multicultural." Suddenly, according to a poll for the semigovernmental Center for Sociological Investigations, 60 percent of Spaniards say immigration is the country's "principal problem." Two-thirds warn that Spain has reached the "maximum level" that it can tolerate. Almost 70 percent of Zapatero's own Socialists disapprove of his immigration policy.

But so, just as importantly, does Europe. In 2005, the Zapatero government presented its willingness to act alone in amnestying hundreds of thousands of immigrants as evidence of a bold and, above all, generous worldview. Now that the public is in a rage over the arrival of *cayucos*, the government has come whimpering to the E.U. for help. "Regulating the conditions for entry," Zapatero said last fall, "cannot be the exclusive responsibility of those who are near the gate." (Precisely the E.U.'s case against his amnesty.) During the meeting in Tampere, Finland, over the summer to address the crisis of the boat people, Spanish justice minister Juan Fernando López Aguilar warned that "the majority of Africans who land in the Canaries are Francophones who want to go to E.U. countries other than Spain. They are heading north." (Untrue, as we have seen, but widely believed in the E.U.) Spain's constitutional philosophy, as well as its empirical observations, seemed to rotate 180 degrees, depending on whether it was asserting its autonomy or shaking the cup. The effrontery of the country's frequent changes of course has left European governments inclined to make Spain suffer a bit. Bavarian interior minister Günther Beckstein noted recently that, at the height of the Balkans war, Germany got 448,000 asylum-seekers in a single year. "Spain," he said, "is not going to drown under 25,000 immigrants."

Thus far, the Senegalese hegira is indeed numerically small. But it is telegenic and acutely embarrassing, and the Spanish government has needed the E.U.'s help. Because of the way he framed his withdrawal from Iraq immediately after taking power in 2004—as an assertion of multilateralism—Zapatero is in a position where he has to ask the world's permission to use his own army. (In October, according to a scoop in *El País*, the government did mull sending a fleet of warships to the African coast to block migrants at the point of departure. The idea was rejected because defense minister José Antonio Alonso worried that the big ships might swamp the rickety *cayucos*.)

So Spain asked for help from Frontex—the European Union border guard launched in 2005. Frontex has two big problems. The first is that it is a Potemkin agency, with a budget of only €15.8 million ($20 million). This makes it a coalition of the willing, and the coalition has not been very willing. Under Frontex's aegis, Spain has deployed one Guardia Civil helicopter to Mauritania and two more to Dakar. There was supposed to be an Italian boat, but as of this fall it was getting repaired. Finland promised to send a plane. There was a Portuguese destroyer operating far out to sea in the Cape Verde Islands.

The second problem came in Africa. None of the larger craft were allowed to go anywhere near it, because both Senegal and Mauritania refused to permit anything that looked like a warship in their waters. And since rescue is the first responsibility under the Law of the Sea, Spanish vessels that encountered northbound *cayucos* often wound up just escorting them into the European Union.

Masses and Mobs

Spain's strong preference is to solve such matters over the negotiating table. Foreign minister Miguel Moratinos toured West Africa this fall to win local cooperation in the fight against clandestine emigration. Guinea, for example, got €13 million ($17 million) in aid and debt forgiveness. In return, Spain gets to farm out some of its investigative dirty work. Guinea agreed to send an "identification mission" to the Canaries to identify and repatriate 156 refugees suspected of being Guineans. Italy has similar bilateral agreements with Libya.

Senegal's president, Abdoulaye Wade, would not make a deal with Moratinos. Wade faces a tough election in February, and he is not about to sell out Senegal's immigrants for €15 million ($19 million) in development aid—although "co-development," as the Europeans put it, has been a big part of his governing philosophy. When Wade began to accept the repatriation of migrants to Dakar last summer, protests began. He had to shift the flights to the country's other airport in Saint-Louis, farther from the national media. When the protests continued, Wade stopped repatriations altogether. Many *cayuqueros* will campaign against Wade in February. Meanwhile, Yahya Jammeh, who in September was reelected president of neighboring Gambia ("for the next 40 years," as he put it), is closer to the mood of the African public. This fall, he told the Senegalese daily *Walf Fadjri*, "Nothing can stop illegal immigration. . . . This country only got its independence from Great Britain 41 years ago. To

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compensate for the exploitation to which our populations were subjected, our young people have the right to stay in Great Britain for the next 359 years."

In his demagogic way, Jammeh has a kind of point. Co-development may appeal to the post-Christian European conscience, but, economically speaking, it works less well than setting up a beachhead in the other guy's economy and just shipping money home. Indeed, a World Bank study has found that four countries got almost twice as much in remittances sent by their various emigrants ($116 billion) than they get in foreign aid. This is money that Africans earn themselves and can invest without the say-so of distant bureaucrats. Senegal is quickly changing its approach to emigration, much as Mexico did in the 1990s—seeing it less as a problem to be solved than as an opportunity to be seized. Emigration may look like a repudiation or an unpatriotic act. But it is also a smart business investment for the country, at least in the short term.

Yet there is a problem. The more people leave, the more incentive there is for others to leave. The more attractive Europe becomes (because the network of immigrant contacts gets larger and more savvy), the less attractive Africa becomes (because many of the best young people have gone). And vice versa. The process keeps ratcheting itself up. Those who remain see scarcely educated teenagers who have found jobs on the very lowest rung of the European ladder—stoop-laborers, latrine-cleaners—wiring back Western Union transfers of $300 a month. That's roughly the salary of a veteran school teacher or a government engineer with an advanced education. It's enough to allow the kid's parents to build another story on their house. What can the future of Africa look like under such circumstances? Well-meaning people like to talk about Africa's admirable ethical norms and systems of familial solidarity—and they're right to. But when we think of Africa in the future, we must think of Africa without those things. The rising generation has traded them for *Baywatch*, or whatever it thinks the West is.

Traveling through Africa, Moratinos threatened to send a "strong message" to the mafias that traffic in human misery. This has become a common trope. Antonio Camacho, the Spanish secretary of state for security, boasted recently of having broken up 25 "people-trafficking networks." The Dutch immigration minister Rita Verdonk said last summer that Spain's policy of amnesty was a mistake because "mafias see it as a positive signal." These mafias are smugglers, contrabandists. They "move people as if they were merchandise."

But do they really? At least any more than, say, United Airlines does? Looking at the traffic in Senegal doesn't leave the impression that they do. If this were a "mafia" operation, the same Moroccans who were organizing it a year ago would still be organizing it now. Yet, in Senegal at least, emigration remains a local enterprise. To run a boat full of immigrants, you need to get two reliable 80-horse-power motors, which can be bought for $4,000 in local currency. A *cayuco* costs about $10,000, and expenses will run you a few thousand more. Then several dozen passengers will pay between $1,000 and $1,400 each for the trip. Even with a one-in-eight chance of death at sea, or capture by police, paying that kind of money for access to the Western labor market does not sound like the sort of deal a rational, intelligent person would have to be bullied into.

"Mafia" is a word that makes European public opinion comfortable. It implies that if the continent can just solve a crime problem that it ought, morally, to solve anyway, then its immigration problem will go away. (Americans do something similar when they claim to oppose only *illegal* immigration.) Such talk can disguise a problem of will as a problem of conscience. It implies that leaders are (selflessly) addressing a humanitarian crisis, not (selfishly) addressing an immigration crisis. And it spares them the awkwardness of laying out why they consider immigration a crisis in the first place. Is it the immigrants' race? Their poverty? Their number? Their Muslim religion? In Spain, as elsewhere, these questions have scarcely been broached.

But massive immigration from poor countries to rich ones is not a matter of a few criminal ringleaders breaking the rules of the game. It *is* the game, and there is no end to it in sight. The farther away Europe pushes the jumping-off point, the wider the orbit of those who consider themselves right next door. The Spanish coastal enclave of Ceuta, just across the Strait of Gibraltar from the European mainland, is hemmed in by Morocco. But the people killed last year trying to storm the gate were mostly sub-Saharan Africans, not Moroccans. Of the 700 refugees currently residing in the camps there, 400 are Asians—some of them Indians who tried to reach the beaches of Ceuta on Jet-Skis, some of them Bangladeshis who tried to pass the barrier hidden in the chassis of trucks.

"It sends a chill down one's spine," wrote a Belgian immigration expert in *Le Monde* last September, "to learn that migrants have already mutilated their fingertips to make it impossible to take or recognize their prints." But if this is true, then *why* does it send a chill down one's spine? For a mixture of reasons. It is partly that we pity people driven to such lengths by poverty and misery. It is partly that we fear they are in deadly, desperate earnest, and are staking their claim to a continent inhabited by people who are not. ♦

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We Can Put More Forces in Iraq . . .

and they would make a difference

By Frederick W. Kagan

Many months into the debate over finding a new strategy in Iraq, two myths continue to cloud the discussion. The *Washington Post* recently proclaimed: "The United States and its allies in Iraq would need at least 500,000 and perhaps more than 1 million troops" to bring order to the country. Incoming House majority leader Steny Hoyer declared: "As a practical matter, there are no troops to increase with." Neither of these statements is true. The persistence of these myths forecloses serious consideration of the only option likely to bring peace to Iraq.

Relevant historical examples do not support the notion that hundreds of thousands more troops are needed to improve security in Iraq. A study of post-conflict operations in the Balkans, Afghanistan, and elsewhere conducted by Ambassador James Dobbins showed that success in those operations—characterized by severe ethnic and sectarian violence—required force ratios of 1 soldier per 100 inhabitants. Iraq poses challenges that are in some respects more severe, at the moment, but it also offers its own rules-of-thumb. Successful clear-and-hold operations in Tal Afar required a force ratio of around 1 soldier (counting both U.S. and Iraqi troops) for every 40 inhabitants. On the other hand, in 2004 Major General Peter Chiarelli suppressed a widespread uprising in Sadr City (an area inhabited by about 2.5 million Shiites) with fewer than 20,000 U.S. soldiers—a ratio of about 1 to 125.

Then there's the question of the size of the population to be pacified. Most of Iraq is relatively calm. Instances of violence in the Kurdish north and the Shia south are rare. No responsible analyst advocates sending large numbers of troops into either area—they are not needed and would not be welcomed. Disarming the Shia militias is a process that must be undertaken only after the Sunni Arab insurgency is under control, and it cannot be undertaken primarily by American forces directly confronting the Shiite population. Using all of Iraq's 27 million people as a baseline for estimating force ratios is, therefore, an invalid approach.

The U.S. command repeatedly and correctly points out that about 80 percent of the violence in Iraq occurs within a 35-mile radius of Baghdad, among a population of perhaps 10 million. Baghdad itself has roughly 6.5 million inhabitants, including the 2.5 million Shiites in Sadr City. These figures provide the basis for a more realistic estimate of the force levels needed. Applying the high-end ratio used in Tal Afar over the entire metropolitan Baghdad area would generate a requirement of 250,000 troops—both U.S. and Iraqi. There are currently about 100,000 Iraqi army troops that the U.S. command considers trained and ready. There are almost 150,000 American troops in Iraq now, including perhaps 70,000 combat troops. Conducting Tal Afar-type operations across the entire capital region all at once would require concentrating all available forces in the area and a "surge" of about 80,000 U.S. soldiers—a large number, to be sure, but very far from the "hundreds of thousands" or even "millions" generated by the use of specious historical examples.

But the situation is not even this dire. Not all areas of the capital region require such an intensive deployment. Indeed, previous successful operations even in Baghdad did not require such high force ratios. What's more, skillful military planners conduct operations in phases, and that is exactly how this one should be prepared and executed. The recent unsuccessful effort to secure Baghdad, Operation Together Forward II, was broken into a series of phases. U.S. and Iraqi troops working together succeeded in clearing the neighborhoods they entered one after the other. But that is not why the operation failed. The problem, according to much anecdotal evidence and the recent testimony of the director of the Defense Intelligence Agency, General Michael D. Maples, is that the U.S. military command did not leave American forces behind in the areas that had been cleared. That mistake

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allowed insurgents to reinfiltrate those neighborhoods and begin the cycle of violence again.

There is every reason to believe that a reformulated operation, proceeding in phases to clear Baghdad neighborhood by neighborhood, but with sufficient force levels to leave significant American troops behind in the cleared areas, would be much more successful. It is impossible to estimate precisely how many more U.S. troops would be needed in the capital area, or in Iraq, without proposing a detailed military plan. But since the high end of estimates for doing the whole area at once produced the requirement for a surge of 80,000 or so, it is very likely that a surge of 50,000 American troops would be sufficient to stabilize the capital. Subsequent phases of the operation would then move on to stabilizing al Anbar and other restive areas of the country, although we must keep in mind how much the situation in Iraq would be transformed for the better if violence in the capital were brought under control.

This approach is not just a matter of throwing more troops at the problem. It involves a fundamental change in U.S. military strategy in Iraq. The U.S. military has never set itself the goal of establishing and maintaining security. It has always prioritized training Iraqi forces and allowing them to undertake such operations on their own. This strategy might have had some merit when the principal problem in Iraq was the Sunni Arab insurgency (although it was dubious even then). It has little or no merit today, when sectarian violence is the most important challenge. More resources are needed to support a changed strategy, but changing the strategy is essential.

Establishing security in Iraq should be our primary objective, with training Iraqi forces a close second. The U.S. military, partnered with Iraqi army units capable of assisting, needs to clear *and* hold troubled neighborhoods in order to bring the sectarian conflict under control. At the same time, the coalition must reinvigorate its efforts to reconstruct cleared areas, bringing jobs, food, and water to the Iraqi people along with safety. Only in this context will it be possible to recruit an effective Iraqi police force or more Iraqi soldiers and to develop effective Iraqi institutions of central, regional, and local government. And only in this context will the Iraqi government be able to disarm militias that now derive their primary justification from the ongoing attacks on their communities.

Many who oppose the idea of sending more troops to Iraq have abandoned the argument that more troops wouldn't help and retreated to what they believe is a more defensible position: that there are simply no more troops available to send. This view, supported to some degree by the testimony of CENTCOM Commander General John Abizaid, is wrong.

To begin with, the Defense Department has just announced plans to deploy over 50,000 troops to Iraq this spring, including more than 20,000 combat troops, as part of a rotational plan to relieve forces currently in the theater. If, instead of bringing those forces home, we extended their tours, we would immediately have generated a surge of 20,000 combat troops.

In truth, we could send more. As of October 1, there were approximately 81,000 active Army soldiers in Iraq, 21,500 active duty Marines, 15,600 Army National Guard, and a little more than 7,000 Army and Marine Reserves—in all about 125,000 troops (13,000 sailors and airmen and a number of other reserves brought the total up to 139,500). Since then, another 8,000-9,000 soldiers and Marines, mostly active duty, have also been committed to the theater. There are another 24,000 members of all services now in Afghanistan as well.

Looking just at basic numbers, it would seem obvious that there are many more troops to send. The active Army numbers about 500,000 soldiers, the Marines 150,000, and the Army National Guard 346,000. That's a pool of almost one million ground forces to draw from. This kind of argument may seem simplistic, but it is supported by no less a personage than the current chairman of the Joint Chiefs of Staff, General Peter Pace, who declared this spring: "We have just over 200,000 U.S. service members in the [Persian] Gulf region right now. We have 2.4 million U.S. service members available to the country—active, Guard, and reserve. So you've got about 2 million U.S. service members who are not currently involved directly in the Gulf region. . . . We have sufficient personnel, weapons, equipment—you name it—to handle any adversary that might come along." Including, presumably, a surge of 50,000 troops into Iraq.

It's important to parse these numbers more closely, since soldiers, sailors, Marines, and airmen are not interchangeable parts. The active Army today has about 350,000 deployable combat troops, including combat and support (logistics) troops. The combat troops are organized into about 43 brigades, numbering around 170,000 soldiers. Marine combat forces usable in Iraq are organized into nine active and three reserve regiments (the Marine equivalent of the Army's brigades) totaling around 36,000 troops. The Army National Guard, currently undergoing a significant reorganization, has a combat force of 60,000-80,000 soldiers. In sum, counting only deployable units, there are at least 64 combat brigades available in the ground forces, of which around 15 are now in Iraq and another 3 in Afghanistan. Adding a further 10 brigades

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(40,000 combat troops with perhaps another 10,000 logistical troops) is definitely a realistic undertaking.

Sophisticated critics will argue that the devil is in the details. Almost all of the Army units not deployed or deploying to Iraq are rated not-combat ready. They would have to be trained before deploying. Many would have to be sent to Iraq less than a year after leaving the combat zone, violating the Army's current policy of requiring at least a year between deployments. Soldiers now in Iraq would have to stay there—many for considerably more than their expected one-year deployment. And the National Guard would have to be used more heavily than current plans call for. All of these facts would lead, it is asserted, to a significant fall in morale in the ground forces and to recruiting and retention problems. Such a "surge" would break up the planned rotational schedule for these forces, making it impossible to relieve them in a year if the situation still required a large-scale ground forces presence in Iraq. It is, some senior officers say (usually off the record), an unsustainable plan and would impose too much pain on the military.

These criticisms warrant serious consideration. As for training, it is certainly true that only the 20,000 or so troops now programmed to deploy to Iraq in the spring are ready to go. Others could be made ready only in months, and would require accelerated training schedules. Two solutions: Send forces that are not as well trained as one would like, or conduct the surge itself in phases, accelerating the deployment of the troops preparing to go in in the spring and sending a follow-on wave behind them. There are a number of ways of mitigating the resulting difficulties in Iraq. The most unsatisfactory would probably be to delay the beginning of the major security operations until the second wave was nearly ready. Another would be to proceed more slowly, spacing the clear-and-hold phases further apart to gain time. Still another would be to accept greater risk in areas outside the capital such as al Anbar province or the north in order to concentrate forces in the capital now, counting on the arrival of reinforcements in a number of weeks or months to repair any damage done in those areas by the temporary withdrawal. A variant of this approach would be to deploy U.S. forces at slightly lower levels of readiness into the more pacified areas of the country where they could complete their training *in situ* while also providing a basic military presence. This, incidentally, was what was done following Saddam's invasion of Kuwait in 1990, when many Army units completed essential training in Saudi Arabia (not in combat conditions but under sporadic missile attack) before launching the ground attack in February 1991. All such approaches carry risk; none is impossible or inconceivable.

The problem of sustaining the surge deployment is also real, but there is a solution. Almost every major defense analyst, many retired generals, congressmen, senators, and even the *New York Times* now believe the size of the U.S. military—especially ground forces—should be expanded. Recruiting and training more volunteers and forming them into units will take time. But if we started right now, we could have new soldiers coming on line within a year, with more on the way behind them. Simply starting the process of expanding the force would go a long way to addressing the basic issue eating at the morale of the ground forces today: the sense that no help is on the way. Combining the promise of relief from repeated deployments with clear efforts to win in Iraq might well offset soldiers' frustrations with extended tours and reduced time home.

There are, indeed, certain mysteries about why the military is having such a hard time managing the current deployment anyway. A force of 15 combat brigades requires, in principle, a base of 45 brigades to sustain a one-year-in-three deployment cycle. The Army is now using a one-in-two cycle, which should require only 30 combat brigades. Going up to a 25-brigade deployment should require a base of only 50 or 75 deployable brigades, depending on the frequency of deployment. Even counting the ground forces elements in Afghanistan, the necessary base shouldn't climb higher than 60 or 80 brigades at the most. There are more than 50 brigades in the active Army and Marines right now, not counting the National Guard and Reserves. It would be worth examining what impediments are preventing us from making full use of currently available resources. That might be a worthy first challenge for the new secretary of defense.

This brief examination shows two things. First, that a surge of on the order of 50,000 soldiers into Iraq is highly likely to be meaningful if it supports a changed strategy. Second, that such a surge is doable with the forces currently available. There is risk in any military operation, and it might prove to be the case that securing Baghdad or Iraq is impossible or would require more force than this. It is also true that deploying more forces to Iraq would require accepting greater risk elsewhere. These concerns are worth discussing. Any surge, moreover, should be accompanied with a massive effort at reconstruction, political undertakings, possibly even regional negotiations. Risks and costs of all kinds must be weighed before a decision is made. I have argued elsewhere that the situation in Iraq today both requires and justifies taking such risks and accepting such costs, but that is not the point here. The point is that a surge of forces accompanying a change in strategy is possible and offers the promise of being very helpful. The ultimate decision must be taken on the basis of that reality. ♦

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Putting Parents First

A new approach to domestic policy for conservatives

By Yuval Levin

We are beginning to get used to national security elections in America. The 2006 election cycle was the third in a row focused almost exclusively on the war on terror and Iraq. Apart from immigration and the vague odor of corruption, it is hard to find a single domestic issue that candidates consistently stressed on the stump this year. Indeed, neither party has campaigned on anything that might be called a domestic policy vision or platform since September 11.

But there is reason to think the 2008 election will be different. The war on terror will surely still be crucial, but if we are indeed in a generational struggle, then concerns of war and peace will come to coexist with more familiar social and economic issues in the public's mind, as was the case during the Cold War. And in the absence of George W. Bush, the next presidential election will also be less taken up with disputes over the minutiae of every administration decision. Polls already show voters increasingly concerned again with familiar domestic priorities like education and health care.

For conservatives, this presents a challenge and an opportunity. It is a challenge because conservatives today lack a coherent domestic policy vision that would either build upon or move beyond the Bush agenda. Those who approve of "compassionate conservatism," or of Bush's tax or education policies, are hard pressed to point to a logical next step. And those who complain about the president's direction—about spending, government programs, a new entitlement, and so on—have been short on realistic alternatives.

But the prospect of a revived domestic policy debate is also a great opportunity. Conservatives have been held together more by ideas and ideals than by a desire for political power or government goodies. The need to think anew about social and economic policy presents a chance to think anew also about how to appeal to more voters and about the kinds of common aims that can strengthen and expand the conservative coalition. If conservatives these days seem worn down, the kind of wonkish battle of policy ideas that has often been their forte in the past may be just the tonic they need.

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The family and the market

American conservatives have worked politically in recent decades to advance two sets of goods: the family and the market. They have advocated traditional values that sustain cultural vitality, and economic freedom that brings material prosperity. These two sets of ideals are mutually reinforcing to an extent. The market relies on a stable and orderly society made possible by sturdy families and strong social institutions; and freedom from unduly coercive authority is an essential prerequisite for making moral choices.

But markets and families are also in tension with one another. The market values risk-taking and creative destruction that can be very bad for family life, and rewards the lowest common cultural denominator in ways that can undermine traditional morality. Traditional values, on the other hand, discourage the spirit of competition and self-interested ambition essential for free markets to work, and their adherents sometimes seek to enforce codes of conduct that constrain individual freedom. The libertarian and the traditionalist are not natural allies.

As the modern conservative movement took shape, conservatives were spared the full burden of mitigating these internal tensions because they confronted adversaries, at home and abroad, who opposed both of the goods conservatives aimed to advance. The left at its height viewed capitalism and traditional social institutions like the family as equally unjust and oppressive, and sought to use government power to replace or to undermine both.

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This allowed conservatives to serve the cause of family and market by opposing big government. That doesn't mean the conservative coalition always held together amicably, but a common enemy can go a long way toward smoothing over differences. And opposition to government was not just a slogan. It genuinely served the interests of the family and the market in a time when both were under siege. It truly was the case, as Ronald Reagan put it in his first inaugural address in 1981, that "in this present crisis, government is not the solution to our problem; government *is* the problem."

But the "present crisis" Reagan addressed is long past. Because of welfare reform and conservative pro-family policies, it is no longer fair to say that government is the greatest threat to American families. In the wake of Reagan's and Bush's tax cuts, the federal government is not the drain on Americans' pocketbooks or the deadweight on economic dynamism that it was in 1981. The federal government remains too big and overbearing. But opposition to government can no longer do as the primary means of advancing the interests of families and markets—which has been and should remain the twofold aim of American conservatives.

The genuinely statist left, which opposed both the family and the market, has not exactly disappeared, but it is beleaguered and badly bruised. American "progressives"—triangulated out of bounds by Clinton and then driven out of their minds by Bush—are in sorry shape, notwithstanding their good cheer at the recent election results. They are cynical "realists" in foreign policy, badly confused in domestic policy, with no clear purpose but power, no clear adversary but Bush, no clear ideals but clinging desperately to every tattered remnant of a failed vision even they no longer take seriously. When their electoral fortunes wax, as they surely have this year, it is not because voters think highly of them but because of the country's low opinion of Republicans.

The left, for now at least, offers little to oppose, and does little but oppose the right. American conservatives, in turn, are no longer primarily an opposition movement but a governing movement. That does not mean conservatives will win every election; but it means they will set the tone. And they will have to think hard about what advancing the interests of families and free markets now entails.

This means thinking afresh about the tension at the heart of the conservative worldview: between the interests of the family and traditional values on the one hand and the interests of the market and economic freedom on the other. Government was never the source of that tension, it was merely a common foe. Limited government is inherent to any conservative governing vision, but if those who run the government no longer explicitly seek to undermine capitalism and traditionalism—if government is no longer the greatest danger to both—then what is that greatest danger? And what is the best way to serve the causes of family and freedom?

The parenting class

What may be an ideological problem for conservatives is also, for Americans in general, a very practical problem. The greatest threat to the interests of families and free markets today is in fact the tension between them. This tension is not just an abstract theoretical challenge, but also a force in the everyday lives of American families, most especially as a source of anxiety.

Unease is perhaps the best way to describe the mood of American voters today. The terrorist threat and the war are of course primary sources of worry. But in survey after survey, there emerges a clear sense of disquiet about all manner of issues besides national security. More than half of Americans with health insurance expressed concern about losing their coverage in a *USA Today* poll in September. Exit polling in this fall's election found that less than a third of all voters believe children born today will grow up to be better off than their parents. Similar signs of underlying anxiety emerge from countless other surveys.

Some on the left mistake this unease for a sign of failure or coming collapse, and seek to appeal to voters in the language of crisis and doom. But as liberal labor economist Stephen Rose has argued, the actual condition of the middle and lower middle class does not support these worries. Over the long term, middle class wages have not stagnated but steadily risen. The middle class is "shrinking" largely because the upper class is growing. And a Pew poll earlier this year found that while American families express concern about debt, only 9 percent of all Americans actually reported owing significantly more than they could afford. As Rose put it: "What progressives generally say about the economy is unrelentingly pessimistic—stagnant wages, rising costs, overwhelming burdens of debt. It's a message that doesn't resonate with the middle class—not only because it's overly negative (by itself political poison), but because it's simply flat out wrong."

In fact, today's disquiet seems less the panic of a drowning man than the angst of an overachiever. The worry of middle- and lower-middle-class families arises from a genuine tension between the two things they most eagerly strive to do: build families and build wealth. That tension, and the disquiet it causes, is especially acute for parents. Indeed, Americans in the middle class and what used to be called the working class would be better conceived of today as the parenting class. Their concerns and aspirations are no longer focused on their standing in the workplace, as they were when our political vocabulary was coming of age, but on balancing the pursuits of family and prosperity.

The members of the parenting class do not live on

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the edge of poverty. But they are anxious about their ability to meet their high aims, like affording a decent college for their children, getting the most from their health care dollar, and (in our increasingly older society) meeting the needs of their aging parents.

This is the anxiety of a successful capitalist economy filled with individuals who want to lead good lives. It is an anxiety produced by the kind of society conservatives seek to promote. It therefore calls for a response from the right, from those who share the aspiration to balance families and free markets, not those who think the system is about to collapse (and deserves to fall).

For three key reasons, this aspirational anxiety should be the focus of a conservative domestic policy agenda, and the lens through which conservatives understand their challenge in the coming years.

First, in terms of simple politics, it is what a key and growing group of voters want addressed. If the Democrats have misdiagnosed the anxieties of the parenting class, Republicans have not recognized them at all. Compassionate conservatism, for all its virtues, does not even try to address itself to parents. A conservative agenda that did so would not only cement a relationship with these voters, it would also appeal to many with similar worries who do not share the strong cultural predilections that have drawn middle- and lower-middle-class parents to vote for Republicans. In an insightful essay in these pages last year ("The Party of Sam's Club," Nov. 14, 2005), Ross Douthat and Reihan Salam cast their call for a refocused conservative agenda in exactly these political terms, asking, "Isn't it time the Republicans did something for their voters?"

Second, conservatives should think about the anxiety of these parents because the tension such anxiety reflects is precisely the tension at the heart of the conservative movement. Addressing it would therefore also help to address a problem for conservatism. Among the most edifying consequences of the often uneasy partnership between social and fiscal conservatives has been the way in which the two sides have educated each other. A surprising number of conservatives who are not religious and not especially concerned about social issues have become persuaded in the past two decades to oppose abortion, for instance, because their interaction with social conservatives has caused them to consider the question more seriously. A surprising number of social conservatives have expressed strong concerns about government spending in recent years, because their interaction with fiscal conservatives has taught them why they should worry about it. But each group still tends not to see the way in which the other not only makes some valid points, but is also defending something vital to them both. Better understanding the pressure of health care costs as a barrier to the growth of larger families would help social conservatives understand why they should seek health care solutions. Better understanding how anxiety about caring for one's children and one's elderly parents keeps people from taking the risks that allow a dynamic economy to flourish would help fiscal conservatives see the value of public policy that offers support to child-bearing and family caregiving.

Third, conservatives should concentrate on the anxieties of the parenting class because if they are not addressed in ways that take heed of both the significance of traditional values and the importance of free-market, small-government principles, they will eventually be addressed in ways that undercut both. In a democracy, the greatest threat to freedom is not that the government will take it away but that the people will give it away, in return for a promise of security. The parenting class's demands for security are not unreasonable, and the challenge for a conservative governing movement is to use public policy to help families obtain some of that security in ways that sustain freedom and strengthen traditional values.

Because key voters want it, because the conservative movement needs it, and because the cause of limited government requires it, conservatives need to see the parenting class as the crucial constituency of the future, critical to the well-being of both the American family and the American economy. This would make Republicans neither exactly the party of social conservatism nor quite the party of fiscal conservatism, but the party committed to balancing the two, and defending both by easing the tensions between them: the party that sees the moral imperatives of economic freedom and grasps the economic anxieties of the traditional family.

A revived conservative agenda

What might this mean in practice? Both fiscal and social conservatives should put themselves in the shoes of the parenting class and focus on advancing competition and choice while also encouraging the growth and strength of the two-parent family. In health care, for instance, conservatives have consistently failed to approach things from that point of view. Anxiety about health care coverage is, for the parenting class, fundamentally a fear of being unable to do enough in a crisis. This worry is largely distinct from the actual structural problems of the health care system, such as market distortions that exacerbate high costs, but it must be addressed if the parenting class is to buy in to any structural solution to reduce costs and assist the uninsured.

Insured families often feel the high costs of care only very indirectly, and their worries arise from the perceived complexity and instability of health care coverage. That complexity leaves many families anxious while they're

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healthy about whether they will be adequately covered if something goes wrong. The rigid bond between employment and insurance, meanwhile, can make losing one's job, or even just choosing to change jobs, a matter of life and death, and contributes to a paralysis that harms both the vitality of the economy and the stability of the family. By itself, the conservative solution of the moment—high deductible accounts that provide families with a new and bewildering profusion of options in health care—risks increasing the health care anxiety of the parenting class without addressing its source, particularly if it is sold (as it has been) as a spur to efficiency, rather than portability. By seeing the problem through the eyes of the parenting class, conservatives could see their way toward a more practical approach to health care—one that would begin with the modest goal of championing insurance portability and only then proceed to introduce more elements of consumer choice and price transparency into the health care sector. At least rhetorically, if not also practically, stability and security need to come before efficiency if the parenting class is to endorse a pro-market health care reform. The result would also make pro-market solutions to the problem of the uninsured more politically plausible.

Conservatives should also look beyond the horizon and see that long-term care for the aged is about to become the next major concern of the parenting class. The demographics of the baby boomers, and medical advances that will enable them to enjoy longer lives but also suffer longer periods of decline and debility, will soon present an unprecedented challenge for middle- and lower-middle-class families. This it not a crisis—longer lives are, after all, most welcome—as much as it is a challenge to these families' aspiration to do right by their parents. Conservatives need to find ways to encourage long-term care insurance and to reward family caregiving for the elderly.

As it happens, the case for such policies overlaps with the case for entitlement reform. In both instances, conservatives need to construct a clear narrative of the significance and shape of the aging society—to bring into wide circulation basic demographic facts that could help families understand what more elderly and fewer young Americans will mean in their lives, and what might be done to prepare. No comprehensive entitlement reform seems likely to succeed in the immediate future, but that should cause conservatives to make a bolder case, not a meeker one, so that the groundwork is laid for a serious effort when the time is right. Conservatives should use the coming demographic shifts to advocate a combined reform of Social Security and Medicare that would tie both to demographic trends. The parenting class will need to be shown the facts, but over time could be open to persuasion that such preparation for the future is in its interest and especially in its children's interest. Conservatives should also be unabashed in making the case that larger families are essential to addressing the problems of the aging society—both in general economic terms that relate to the prospects for old age entitlements, and in the lives of particular families—and therefore in pursuing policies across the board that reward and encourage parenthood.

In education, it is well past time to have another serious go at school choice, which can appeal to the parenting class both as a solution in their own children's lives and as a call to conscience. By highlighting failing schools in underserved areas (a task made easier by the mountains of data now becoming available through the No Child Left Behind Act), while making clear to parents that their own children need not be thrown into a confusing new system of choices and options if their schools are working, conservatives can build a middle-class case for helping lower-class children escape failing schools.

These examples are of course barely a start. But they aim to suggest both that conservatives need to reinvigorate the effort to develop particulars, and that in doing so they must view the domestic policy landscape through the eyes of millions of parents who contend every day with the challenge of simultaneously advancing the values of family and fulfilling the aspirations to prosperity and freedom. By seeking to address their concerns, and by distinguishing between problems that cause them anxiety directly and problems for others that should be brought to call on their conscience, conservatives can begin to build a revived domestic agenda. Not all the ideas will be new, but the focus on articulating a pro-market, pro-family vision addressed to the parenting class will be.

The tension between family and market is a source of unease for American families, and has often been a source of friction in the conservative movement. But the present moment offers an opportunity to turn that tension into a font of energy for conservatives, and to turn the conservative movement into the long-term home of the parenting class.

In this effort, there is a role for government. The conservative insight that government power is inherently corrosive of the roots of self reliance must not be forgotten, and surely remains true. But it must also not be turned into a case against all uses of public policy for public ends. Some balance must be found, so that limited government can be turned to positive purposes, and there is no better way to seek that balance than keeping in mind the two competing but complementary goals of strong families and free markets, while also keeping in mind the interests of the parenting class. Looking toward the 2008 election and beyond, conservatives confront a tremendous opportunity, if we are ready to seize it. ♦

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A Burnt-Out Case

How great was Graham Greene?

BY BROOKE ALLEN

Hulton-Deutsch / Corbis

Graham Greene, 1975

At the end of his new book on the novels of Graham Greene, the veteran British literary critic Bernard Bergonzi worries that his comments on the writer might be perceived as too negative. "An attempt at revaluation, such as I have undertaken, is liable in our excitable literary climate to be regarded as an 'attack' and welcomed or condemned accordingly. That is not what I intended; I hope people will go on reading Greene, but read him rather differently, and perhaps read him better." But only an academic could possibly interpret *A Study in Greene* as an attack. The book is measured, civilized, sympathetic to its subject—as Bergonzi's criticism usually is. It is not adulatory; some rather harsh statements are made; but Bergonzi bases his opinions on reasonable premises and makes no intemperate judgments.

What kept irking me was the sneaking suspicion that, in fact, Greene could do with an attack, or at any rate a more radical revaluation. Was he really the major writer he was considered to be during his lifetime? The very scale of the towering three-volume biography by Norman Sherry indicates his perceived stature, and at Greene's centenary in 2004, Bergonzi points out, literary journalists by and large acclaimed him as "a great British novelist and a national asset, who had achieved a global reputation."

A Study in Greene
by Bernard Bergonzi
Oxford, 208 pp., $29.95

Bergonzi himself disagrees, believing Greene to have been a good novelist rather than a great one. For a male novelist to be considered "great," he says, he must be able to create convincing female characters, and here Greene fell short. This is undeniably true, but Greene's failures go deeper than this. He certainly failed his own test, as articulated in "A Visit to Morin": "A novel is made up of words and characters," he wrote. "Are the words well chosen and do the characters live? All the rest belongs to literary gossip."

Greene's words were always well chosen—in fact, he had a real genius for setting a scene and creating an atmosphere. But his characters. . . . Bergonzi puts it well when he compares Greene's work with that of the Jacobean dramatists, who presented "the embodied abstractions of virtues and vices rather than characters in the modern sense." This technique has its strong points—points to which Bergonzi gives due appreciation—but it is limiting, sometimes fatally so. The characters are colorful, but they don't *live* in the sense that Anna

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Karenina or Leopold Bloom lives, or even Scarlett O'Hara or Mr. Pooter or George Babbitt. Sometimes they embody virtues—the Whiskey Priest in *The Power and the Glory*, Sarah Miles in *The End of the Affair*—but more often they are vices of both the deadly and venial varieties: Pinkie in *Brighton Rock* (pure evil); Scobie in *The Heart of the Matter* (coruscating, arrogant pity); Alden Pyle in *The Quiet American* (destructive innocence); Thomas Fowler in the same novel (cynicism and *accidie*); Bendrix in *The End of the Affair* (hatred and bitterness).

Bergonzi compared Greene's type of fiction with Dickens's, "where the caricatures or the archetypal figures were more convincing than the attempts at realistic character-drawing." There is some truth to this, but compared with Dickens, Greene's novels are narrow and thin, and nowhere in their pages do we meet anyone as nuanced or developed as a Pip, for instance, or a David Copperfield. As for Greene's women, Bergonzi is perfectly correct to divide them, by and large, into two categories: the plucky waif and the goodtime girl. I would add a couple of others: the infantile object, like Phuong in *The Quiet American*, and the unyielding wife, like Fowler's faraway spouse in the same novel, or Louise in *The Heart of the Matter*.

Nancy Mitford once joked, "I do think Catholic writers have that advantage, the story is always there to hand, will he won't he will he won't he save his soul?" There is a lot of truth in that, and Greene, for one, milked the ready-made plot for all it was worth, time after time. In *Brighton Rock*, we can practically see the Luciferian Pinkie descend into hell and smell the brimstone; in *The End of the Affair*, the dead Sarah, we are asked to believe, has become a saint in heaven; *The Heart of the Matter*'s Scobie walks a dangerous line, to the point that it became a bit of a parlor game for Catholic readers to debate whether or not Scobie was damned.

Greene himself claimed that, in a secular world, fictional characters were diminished as human beings. "With the death of [Henry] James the religious sense was lost to the English novel, and with the religious sense went the sense of the importance of the human act." This seems nonsensical—what about Joyce? Forster? Lawrence? Ford Madox Ford? William Golding? Bergonzi clearly takes issue with Greene on this subject, arguing persuasively that "there are philosophical rather than historical grounds for questioning the extent to which any religious belief, and not just Catholicism, can really be at home in the novel." The implication of supernatural intervention, one would think, might actually diminish the importance, or at least the autonomy, of the human act. Who is guiding events: the story's human participants, or God with his pre-ordained script?

Here Bergonzi quotes Orwell, whose thoughts are directly opposed to Greene's on this subject. "The atmosphere of orthodoxy is always damaging to prose, and above all it is completely ruinous to the novel, the most anarchical of all forms of literature. How many Roman Catholics have been good novelists? Even the handful one could name have usually been bad Catholics. The novel is practically a Protestant form of art; it is the product of the free mind, of the autonomous individual."

Greene's reputation as a Catholic novelist has always been a little shaky within the Catholic literary community. He clothed himself in the dogma of his faith as a dandy might clothe himself in some dramatic costume, often depicting the search for salvation as a grand melodrama in which the sinner plays quite a glamorous leading role; Hell has a sinister allure in his work, while Heaven is unknowable and therefore colorless. A devastating critique of *The Heart of the Matter* by Tom Burns, a Catholic publisher (later editor of *The Tablet*) and friend of Greene's, says it all:

> G.G. uses all the apparatus of the Catechism & bad sermons twanging away on an exhausted id & irritated nerves to produce a sham spiritual drama: a caricature conventional Catholic couple is very cruelly trotted out to cut capers in the world of apprehensions much more the novelist's than their own. He almost turns things upside down & hates the sinners while he loves the sin. G.G. is becoming a sort of smart-Alec of Jansenism.

This is particularly interesting for non-Catholic readers who, I suspect, have tended to read and try to enjoy Greene while doing their best to ignore his religious agenda. Greene's theological scruples and obsessions have often struck me as bogus and self-important; Burns's contention that he seemed to "love the sin" is true, unfortunately.

Bergonzi's primary aim is to challenge the standard valuation of Greene's various novels. For decades now, the assumption has been that Greene's later novels, because they are more serious and ponderous than the early ones, are therefore more valuable; Bergonzi disagrees, asserting that the novels and "entertainments" up to and including *The End of the Affair* (1951) are the most important, and that *Brighton Rock* (1938) was his best work.

> I believe that Greene's career as a novelist shows a pattern evident in the lives of many writers, and indeed other kinds of artist. There is an opening phase marked by formal originality, imaginative vitality, and strength of feeling. It may also be marred by inexperience, by an inadequate sense of form, and by excess of ambition. The phase of maturity shows mastery of the medium, but combined with a certain loss of the early freshness and energy.

It is a fair summation. As Greene aged, he became increasingly self-indulgent, reformulating the same old story—"will he won't he will he won't he save his soul?"—and even providing a more or less interchangeable hero (or anti-hero) for his novels, an individual Bergonzi dubs "the Greene man": a disabused, cynical, often sexily jaded figure who has achieved wisdom but not grace. (*The Quiet American*'s Fowler is a particularly egregious example of the type, so much so that by contrast, his ridiculous foil, Alden Pyle, comes to seem almost endearing.)

The later novels, Bergonzi correctly says, became little more than vehicles for the Greene man: They "contain enough mordant reflections about life and death to provide an intermittent air of profundity." In Shirley Hazzard's words, "Poignancy was largely subsumed into world-weariness, resurfacing in spasms of authenticity. In the

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later work, sheer human sympathy makes an obligatory guest appearance, like an aging celebrity briefly brought on stage." Existential problems were left unresolved, because Greene seemed to find any attempt at resolution too much trouble; he himself had become as mentally slack as his *doppelgänger*, the Greene man, though he remained industrious and prolific to the end.

Early in his career, Greene, who had always entertained high literary ambitions, formed the habit of classifying his thrillers and spy novels as "entertainments" as opposed to "novels." This was a porous, perhaps even a meaningless division, as Greene himself tacitly admitted when he discontinued its use later in life. What intelligent reader could really believe *A Burnt-Out Case*, for example, or *The Honorary Consul*, to be a better book than *The Ministry of Fear* or *A Gun for Sale*? My own opinion is that Greene's "entertainments" were actually his best novels. I cannot agree with Bergonzi's apotheosis of *Brighton Rock*, for despite its marvelous style and atmosphere, the moral situation and the characters, when stripped to their essence, are purely bathetic.

What, after all, were Greene's strong points as a writer? His fluency; his masterful atmospherics; his ability to contrive a suspenseful plot; his flair for melodrama; his really superb eye for the telling detail. To read his early novels is to sink magically into the specificity of their time and place.

During the 1930s, as Bergonzi says, "the traditional face of England was marked by cinemas and roadhouses, petrol stations, new motor roads, and spreading suburbia. Greene was keenly interested in these innovations. He did not always like them but he did not recoil from them in horror as D.H. Lawrence or George Orwell did, and he incorporated them into his fiction." Greene's ability to set a scene has seldom been matched. Here, for instance, is a paragraph from *The Confidential Agent*. Who else could possibly have written it?

> But D. had no more to say, as they bumped slowly on across the Park. The soap-box orators talked in the bitter cold at Marble Arch with their mackintoshes turned up against their Adam's apples, and all down the road the cad cars waited for the right easy girls, and the cheap prostitutes sat hopelessly in the shadows, and the blackmailers kept an eye open on the grass where the deeds of darkness were quietly and unsatisfactorily accomplished. This was technically known as a city at peace. A poster said: "Bloomsbury Tragedy Sensation."

And what were Greene's weaknesses? Melodrama again (which can be either a strength or a weakness, depending on the use to which it is put); vapid philosophizing; the inability already noted to create credible women characters or indeed any truly living characters; overt polemicism, both political and religious; an unfettered *nostalgie de la boue*.

All these qualities are harmful to the serious novel, but not to the thriller. A character like D. in *The Confidential Agent* is perfect within the pages of his genre novel; in the "serious" novels, D.'s fellow Greene men—Castle in *The Human Factor*, for example, or Querry in *A Burnt-Out Case*, or Charley Fortnum in *The Honorary Consul*—become mere Jonsonian "humors" rather than people.

In youth I had a great liking for Greene; his storytelling was first-rate, and the books were pretentious enough to make me assume, in my innocence, that I was reading something really deep and worthwhile. I accepted, too, the high esteem in which he was held by my elders and betters. Reading the novels again for the first time in many years, I find they seem rather a shameful pleasure. Of Greene's great gifts there can be no doubt, but rather than expanding them, or expanding his mind, he cramped his own talent, relying more and more on the same creaky old poses and gimmicks. Nowadays it seems to me that *Our Man in Havana*, despite the inorganic Catholic themes which seem to be fastened willy-nilly onto the otherwise ingenious plot, might just be Greene's best book. It is a first-rate comic thriller whose absurdities tell us many home truths about the international military-industrial complex, and it is full of good spirits, a quality Greene seldom displayed.

He was too snide and sour, for all his God-obsession, to love many of his characters. And such a lack of love keeps a novelist from being great just as surely as any technical inadequacy can do. ♦

Mr. Bill of Rights

The Quiet Man of the American Revolution.

BY JAMES M. BANNER JR.

Anyone who reads widely in American history is justified these days in asking whether we haven't reached a surfeit of biographies of the nation's Founders. Not only are studies of the lives of the Big Six—Washington, Franklin, Jefferson, Hamilton, Adams, and Madison (with perhaps Marshall thrown in to make Seven)—beyond counting. But it has even gotten to the point that we now have four recent biographies of Gouverneur Morris. Does yet another Founder's biography yield any hope of adding significantly to our understanding of that extraordinary era, even if we learn something more of a particular individual? Smart money would bet no. And smart money would bet right.

George Mason
Forgotten Founder
by Jeff Broadwater
North Carolina, 352 pp., $34.95

To say as much is not to detract from the many merits of Jeff Broad-

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George Mason's home, Gunston Hall, Fairfax County, Virginia

Bettmann / Corbis / Philip Gendreau

water's biography of George Mason, the first in over 30 years and the most comprehensive ever. The work is justified if only to bring back into view a man whom Broadwater justifiably calls—as no doubt he would John Jay, Rufus King, John Witherspoon, and, yes, Gouverneur Morris—a "forgotten Founder." The book embodies the very latest in scholarship about the nation's early years. Broadwater teases out of relatively skimpy materials everything of relevance about his subject, even if he can't make the acerbic, often phlegmatic Mason a particularly winning character. So the complaint—that the book doesn't add significantly to what we already know of the nation's formative years—may be beside the point. Mason's life is worth knowing about for its own sake.

Mason was born into the great plantation gentry of Virginia's Northern Neck and was second only to his neighbor George Washington as the region's most extensive landowner and in the avidity with which he sought to amass always more acreage. Also like Washington, he was self-educated, although Mason more than Washington made himself genuinely erudite in matters of political philosophy and affairs. Unlike the squire of Mount Vernon, however, except for Mason's lifelong speculations in western lands, his interests were resolutely local. It was from service to his Tidewater neighborhood, to colony and state legislature, and to his Anglican parish that he derived his greatest satisfactions.

What's noteworthy about Mason's contributions to the era of revolution and constitution-making is that he was not a lawyer. He nevertheless became one of the most noted political thinkers, productive legislators, and skilled legislative draftsmen of his day—often while absenting himself, out of both ill health and laziness, from the local and state bodies to which he was elected. Even so, he was, as Jefferson wrote of his legislative work, "a host," and his hand seems to have been in everything. He wrote the 1774 Fairfax Resolves, which attacked parliamentary authority over the colonies. It was he who, in helping draft the Virginia Declaration of Rights in 1776, penned words about people's right to life, liberty, and happiness that Jefferson would embody in his more celebrated rendering in the Declaration of Independence. Then he had a major hand in drafting the Virginia Constitution of 1776—one that lasted for 54 years.

Nor should Mason be forgotten for two major ways in which he distinguished himself from most of his fellow Virginians. He was an early, and with Madison and Jefferson, a leading proponent of the separation of church and state. And on grounds progressive for their time, even if he stopped short of calling for the end of slavery itself, Mason throughout his life opposed the trade in slaves. Yet it is for his distinctive contributions to early constitution-making that he has earned and kept his historical reputation.

Mason's contributions to the drafting of the Constitution were second in importance to those of very few others. It was he, for instance, who was responsible for introducing the Great Compromise, whereby the House and Senate are apportioned differently. But his influence can be felt throughout the entire scheme of government—in its provisions and its words—in ways too numerous to list. Also in Philadelphia, he assumed the kinds of distinctive stances by which he was already known, such as opposing as "unjust" the boosting of southern power by counting three-fifths of the slaves for purposes of representation.

Yet, in the end, again distinctively, Mason worked to defeat ratification of the Constitution he'd done so much to create, and it's for this that he's now perhaps best known. Yes, he's recalled

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most often for opposing the document because it lacked a bill of rights. But as Broadwater makes clearer than it has ever been, Mason opposed the Constitution for many other reasons, especially for not adequately protecting minority rights and for opening the door, so he feared, to the corruptions of power. The House was too small compared with the Senate, he argued; a two-thirds majority was not required to pass commercial legislation; the slave trade was not ended immediately; and so on and on.

In the end, Mason threw so many objections at what was so much his handiwork that his opposition now seems excessive and somewhat unfathomable. Yet even in unbridled opposition, Mason made his mark. While the Virginia ratification convention spurned his call to propose specific amendments to the Constitution, in the end he got his wish: His admirer and friend James Madison saw that amendments constituting a bill of rights were introduced into the very first federal Congress.

One has to ask why a man of such importance to the nation's early history has so largely disappeared from the record, why he figures so little in the popular narrative of "The Founding," and why in the end Broadwater cannot really bring him alive.

In this case, the responsibility for Mason's relative neglect is largely his own. He was a provincial even among other provincials. Of the great founders, only Franklin, Jefferson, and Adams were world-traveled. Washington left the country only once, Madison never, and Hamilton also not a single time after arriving in the colonies from his native Nevis. But at least these men knew their own country by travel and wide acquaintance with its people. The farthest Mason ever ventured from Virginia was to Philadelphia in 1787, toward the end of his life. He was a Virginian even more than Madison and Jefferson, a local boy resolutely local. Known by reputation to the governing elite in all the states, he was little known to most Americans of his day and, more important, often ignorant of them in turn.

Furthermore, Mason savored local politics—the affairs of his county and parish and the Northern Neck of Virginia—much more than he did national politics. He kept as informed of the latter as a reader and correspondent might, but his political views, formed and honed largely in the Tidewater and in Williamsburg among other members of the Virginia elite, were those of a Virginian.

In addition, he lent his pen to the dry matter of legislation much more than his great contemporaries. Acknowledged to be a master lawmaker, he poured words into the dry business of legislating rather than into the epistolary art for which Jefferson and Adams are so noted, or into ringing phrases of principle. It was altogether characteristic of him to provide words that others, with his acknowledgment and approval, used to better effect—whether in Jefferson's Declaration of Independence or Madison's Bill of Rights.

Finally, of course, Mason opposed ratification of the Constitution. One should take Broadwater's biography to be another step in the rehabilitation of the Constitution's anti-federalist opponents. But that exacts a price from Mason himself, for it has become his fate to stand as Representative anti-federalist. The man who carried so much of the weight of the Constitutional Convention on his shoulders, and provided so many provisions to its final product, will always be associated with his efforts in Virginia to defeat it. His lot is likely to remain that of the great Framer who turned on his own creation.

But we should remember this, too: Like most anti-federalists, he was quickly reconciled to the government he had done so much to found. When Americans divided themselves bitterly into parties in the 1790s, they did so within, not outside, Mason's frame of government. By then, however, George Mason, one of the oldest of the Framers, was dead. ♦

A View from the Bench

The unpersuasive case for judicial activism.

BY EDWARD WHELAN

The term "judicial activism" carries a powerful stigma. Over the past four decades or so, the courts, especially the Supreme Court, have imposed the left's agenda on a broad range of issues—abortion, the death penalty, pornography, homosexuality, criminal rights, and a secularized public square, to name a few. Many critics of judicial decisions on these matters emphasize that the rulings are not merely erroneous, but operate to deprive Americans of their basic political right to establish, through their elected representatives, the policies that ought to govern the nation, their states, and their communities. The shorthand label "judicial activism" captures and conveys this unconstitutional judicial usurpation of the democratic process.

The Myth of Judicial Activism
Making Sense of Supreme Court Decisions
by Kermit Roosevelt III
Yale, 262 pp., $30

Contending that "judicial activism is an empty epithet," Kermit Roosevelt III, professor of law at the University of Pennsylvania, has written a book earnestly arguing that judicial

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decisions ought, instead, to be assessed against his proposed benchmark of "legitimacy." Although *The Myth of Judicial Activism* is, for the most part, evenhanded, that virtue cannot compensate for its deep conceptual flaws. Roosevelt fails to provide what his title and subtitle promise: He neither exposes judicial activism as a "myth" nor provides a useful alternative means of "making sense of Supreme Court decisions."

In presenting his standard of legitimacy, Roosevelt begins by identifying judicial "doctrine" as the set of rules that judges create to implement the meaning of the Constitution's provisions in particular cases. Doctrine, he observes, is distinct from (and does not completely correspond to) the actual meaning of the Constitution. Sometimes doctrine will "underenforce" the Constitution: Judges will fail to give constitutional provisions their full meaning. Other times doctrine will "overenforce" the Constitution: Judges will invalidate government actions that are not, in fact, unconstitutional.

The Warren Court, 1967

Bettmann / Corbis

Roosevelt outlines the various factors—"institutional competence," the "lessons of history," "defects in democracy"—that he believes counsel for or against judicial deference to governmental action: that is, for underenforcement or for overenforcement of constitutional guarantees in particular cases.

His core claim is that "a decision is legitimate if it starts with a plausible understanding of constitutional meaning (seldom a deeply controversial issue [!]) and creates sensible doctrine to implement that meaning (a question that typically comes down to [the deference factors])." Lest this anemic standard be thought to have some vigor, Roosevelt declares that there is no objective answer to the question whether any combination of factors justifies a particular level of deference. Thus, "to say that a decision is legitimate, as I have defined the term, is not saying much. It does not mean that the Constitution requires the result the Court has reached. Other approaches might also be legitimate [and] might be better."

The bulk of this book—Roosevelt's guided tour of controversial Supreme Court cases—confirms that his legitimacy test doesn't say much. As he puts it, "In most of the cases I discuss, the Court's decision is legitimate, but a decision going the other way would be legitimate as well." Indeed, it is nearly impossible for any Supreme Court decision to fail Roosevelt's test.

Roe v. *Wade*, he says, is a "woefully unconvincing opinion," but it is

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"legitimate" because "the argument for nondeferential review" of abortion legislation—Roosevelt's own argument, that is, not *Roe*'s—"is fairly strong." Some of the Court's Establishment Clause decisions "may be wrong," he says, but they "follow plausibly from a plausible understanding of constitutional meaning." *Korematsu*, in which the Court declined to invalidate the government's detention of American citizens of Japanese ancestry during World War II, is "probably legitimate." *Lochner*, the 1905 decision striking down a state law setting a ceiling on the number of hours a baker could be required to work, was "not illegitimate" since the Court's "particular conception of constitutional meaning" had already been "proved . . . false" but was nonetheless "plausible."

Even *Dred Scott* elicits from Roosevelt only the tepid assessment that it was "probably" so wrong as to be "unreasonable," but he hastens to add that even unreasonable error does not suffice to render a decision illegitimate.

Remarkably, the only decisions besides *Plessy* v. *Ferguson* (the 1896 opinion permitting segregated streetcars) that Roosevelt *does* label illegitimate are six rulings by conservative majorities from the past dozen years, including *Bush* v. *Gore*. And he is able to reach this conclusion only by abandoning his own deferential stance and by probing more critically whether "the justifications offered for those decisions . . . stand up to scrutiny." Even then, as to two of these cases, he states some 60 pages later that he only "tend[s] to think" that they were wrong.

Roosevelt's survey of cases provides no coherent framework for assessing judicial decisions. Instead, it shows only how infinitely malleable and unprincipled his approach to judging is, and how meaningless his test of legitimacy is. Roosevelt's criticism of the term "judicial activism" is equally uncompelling. He states his argument concisely: The concept of judicial activism can make sense, he says, only if "determining the plain meaning of the Constitution [is] relatively easy" (a proposition that Roosevelt himself says is "indeed true") and if that "plain meaning" is sufficiently specific to "tell judges how to decide individual cases."

Roosevelt asserts that critics of judicial activism believe both of these things. He's wrong on both points. Among the leading critics of judicial activism are proponents of "original meaning" jurisprudence, who hold that judges are to interpret the various provisions of the Constitution in accordance with the meaning they bore at the time they were promulgated. That original meaning will frequently diverge from the generalized "plain meaning" that Roosevelt posits, and there is certainly no consensus among originalists that determining the original meaning of constitutional provisions is "relatively easy."

To be sure, most originalists will readily recognize as constitutionally outlandish many of the "rights" recently invented by the Supreme Court. But the fact that easy cases exist does not mean that there aren't plenty of questions with no clear right answer.

More important, Roosevelt's assertions are simply irrelevant. The two points that, in fact, generally unify serious critics of judicial activism of various jurisprudential stripes are quite different from what Roosevelt imagines.

First, judges do not have authority to "overenforce" the Constitution. How is it legitimate for courts to develop and apply judicial doctrine that invalidates legislative enactments that are not, in fact, unconstitutional? Second, far from believing that the Constitution always provides clear, right answers, critics of judicial activism maintain that, on those questions to which there is no clear right answer, judges have no authority to override the political process. Thus, Roosevelt's purported demonstration that many controversial cases have no right answer offers no response to critics of judicial activism who ask: On what basis, then, may courts in such cases trump the result that representative democracy has produced? Remarkably, Roosevelt is blind to these questions.

He is, to be sure, animated by an admirable sympathy for the difficult job that judges have, but that sympathy is not balanced by an equal regard for the role of America's citizens. Roosevelt condemns "loose talk of judicial activism" as "poisonous stuff," and it is certainly true that the "judicial activism" label is frequently misused by some on the left and right to signal political dissatisfaction with results in particular cases. But the narcotic that Roosevelt would administer to the body politic is far more lethal.

When judges override a legislative enactment, citizens have the right to demand that the judicial decision be right—and that a decision that usurps the political process be overturned. No citizen should be expected to roll over and play dead merely because that decision is a plausible (but not correct) application of a plausible (but not correct) understanding of a constitutional provision.

As Abraham Lincoln put it, "the candid citizen must confess that if the policy of the Government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court, . . . the people will have ceased to be their own rulers, having to that extent practically resigned their Government into the hands of that eminent tribunal."

Roosevelt could also learn from comments that another president—his own great-great-grandfather—made (during wartime, no less) in defense of a citizen's right to criticize the president. As Theodore Roosevelt made clear, his comments apply fully to other important "public servants," and I therefore adapt them:

> It is exactly necessary to blame [a judge] when he does wrong as to praise him when he does right. Any other attitude in an American citizen is both base and servile. To announce … that we are to stand by the [judge], right or wrong, is not only unpatriotic and servile, but is morally treasonable to the American public. ♦

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Philip Johnson

Fashion as architecture, and vice versa.

BY CATESBY LEIGH

The memory of Philip Johnson, who died early last year at age 98, may not linger for very long. But we shouldn't let his centennial year—he was born July 8, 1906—pass without contemplating his significance. Johnson was, after all, the original "starchitect," and perhaps no other 20th-century designer had a bigger impact on the American skyline. His career uniquely encapsulates the succession of stylistic fads that marks the history of American architecture since World War II.

While in his mid-twenties, Johnson was present at the creation of the modernist movement in the United States—not as an architect, but as the founding curator of the Museum of Modern Art's architecture department. After a dalliance with far-right politics by turns comic and sordid, Johnson belatedly took an architecture degree and designed in the high-modernist International Style for a time. But along with Edward Durell Stone of Two Columbus Circle and Kennedy Center fame, Johnson was among the first modernists to adopt the postmodern technique of incorporating loosely interpreted historical elements into his designs.

There were plenty more stylistic twists and turns along the way, including the more literal knockoffs of traditional styles—starting with the famous AT&T Building (now Sony Plaza) in Midtown Manhattan, with its "Chippendale" crest. Deconstructionism was Johnson's last exit off the highway to nowhere, taken when he was an octogenarian. Small wonder he was nicknamed "the chameleon."

Catesby Leigh is author of the forthcoming Monumental America.

During the 1970s Johnson became a celebrity. He won the first Pritzker Prize, modernist architecture's Nobel, in 1979—the year he got the AT&T commission. He had by now mastered the art of branding high-rise buildings not merely as corporate icons but as signature works of "starchitecture." Indeed, Johnson virtually branded himself with the trademark Corbusian-style round eyeglasses he was sporting by the time he took the prize. He was far from a great designer, but he was a clever one, ever alert to changes in the cultural climate. He knew much more architecture history than the vast majority of his modernist peers, and his quick wit made for good copy. In an era when architecture was chronically searching for new moorings, these assets sufficed to propel him into his profession's stratosphere.

Johnson studied philosophy as a Harvard undergraduate, and considered himself a Nietzschean, largely because Friedrich Nietzsche had convinced him that art was a matter of religious significance. And yet he seemed to forget that Nietzsche was no chameleon.

"I've never changed my aesthetic, my ethic, my Nietzschean point of view," he told *Preservation* magazine a decade before he died. "Change is the essence." In fact, Nietzsche sought a new, enduring foundation for culture that would put an end to the aimless, spiritually corrosive change he associated with egalitarian democracy. Putting architecture on such a foundation was a task for which the opportunistic Johnson was thoroughly ill-suited, and deep down he knew it. That's one reason he didn't take himself too seriously.

As Franz Schulze makes clear in his informative 1994 biography, *Philip Johnson: Life and Work*, Johnson's star power was reinforced by his status as a cultural arbiter. This he had established in the early 1930s during his MoMA curatorship (which he resumed for some years after World War II). Well after the demise of the modernist pioneers—Mies van der Rohe, Le Corbusier, and Frank Lloyd Wright—he would emerge as the architectural power broker *par excellence*. He sought out younger architects whose arcane theories defined the "cutting edge." Even while he was busy mining architectural history for motifs that would liven up his skyscrapers, he saw that postmodern pastiche was losing its glitter, so he helped put deconstructionist architecture and a new "avant-garde," whose leading light was Frank Gehry, on the map. He got out the word about the younger architects to watch, invited his favorites to exclusive gatherings at the Manhattan club for cultural movers and shakers (the Century Association) and steered plum commissions their way.

Still, Johnson's architectural practice is what matters most. Critics tend to focus their praise on small buildings: the Glass House, the one-room, Miesian residential box he built on his New Canaan estate in 1949, and the multidomed, expensively appointed pavilion for the display of pre-Columbian artifacts that he completed 14 years later at the Dumbarton Oaks estate in Washington, owned by Harvard. The latter building is the more interesting of the two. It isn't much to look at on the outside, but it boasts a welcoming interior enclosed by glass and stout cylindrical marble posts, with teak floors and bronze detail on the posts and ceilings.

These projects are of minor significance, however, compared with the high-profile buildings—mainly office buildings—that Johnson subsequently designed for New York, Houston, Dallas, Boston, Pittsburgh, Atlanta, San Francisco, Minneapolis, Cleveland, Denver, Chicago, Miami, St. Louis, Washington, and a consider-

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able number of smaller cities besides.

Until he took on an ambitious young Chicago architect named John Burgee as his professional partner in 1967, Johnson was not a player in the office building niche. Nevertheless, it was mainly thanks to him that Mies, his original mentor, got the commission for the Seagram Building on Manhattan's Park Avenue—perhaps the International Style's supreme achievement. Johnson worked on the Seagram project as junior partner, designing the sumptuous interior of the Four Seasons restaurant that was lodged behind Mies's tower. Completed in 1959, the tower was meticulously detailed, but its rectilinear geometries, like those of Gordon Bunshaft's nearby Lever House, proved an unfortunate model for office-building architecture, leading to a veritable plague of tall, stark, glassy boxes in America's downtowns.

Around 1960 Johnson was still producing some more or less Miesian work, while searching for a more emotionally charged alternative to the minimalist International Style that somehow related to the classical tradition. Johnson thus forged a postmodern idiom, derisively dubbed "ballet classicism." The highest-profile project in this vein is his New York State Theater at Manhattan's Lincoln Center, completed in 1964. Its dumbed-down travertine portico boasts big paired posts with chunky flanges supporting a roof slab with a little attic-slab recessed above—basically a diluted rendition of Schinkel's magisterial Altes Museum in Berlin (1828).

Inside, the ceiling of Johnson's vast foyer is lined with gold leaf, while the ceiling of the theater itself offers a glitzy rendition of Michelangelo's intricate geometric pavement pattern for the Campidoglio in Rome. (This pattern also was used on the pavement of the Lincoln Center plaza at Johnson's behest.) Plastic "headlights," faceted like crystals, are embossed in balconies in the foyer and theater, and a globe encrusted with them hangs down from the theater ceiling like a giant Christmas tree bauble.

Catesby Leigh

The AT&T Building, New York

Johnson's eclecticism played a conspicuous role in his most important architectural accomplishment—redefining American skyscraper design during his partnership with Burgee. This he did first by distorting the Miesian box and then forsaking it altogether for a more traditionally oriented postmodernism. In downtown Houston, where he made his stylistically-variegated mark on the skyline as in no other city, Johnson provided a distinctive corporate image with the Pennzoil Place project, completed in 1976 for developer Gerald Hines, his number-one client. Pennzoil Place consists of two mirror image towers with trapezoidal footprints. The towers are clad in dark reflective glass

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and sheared off at 45-degree angles at the top. Between the towers he and Burgee inserted two bisected entrance pyramids of clear glass, one on each side of the complex, with metal trusswork painted white inside. Though much smaller than the towers, these greenhouse-like semi-pyramids are giant forms, and, like the towers, completely devoid of human scale.

Though not a skyscraper, the famous Crystal Cathedral, built in a Southern California suburb a few years later, is similarly scaleless. Commissioned by the Rev. Robert Schuller, and designed to accommodate 3,000 worshippers, its exterior is entirely covered with mirror-coated glass. Its symmetrical plan takes the form of a modified diamond, with the main aisle—lined by rows of water fountains!—set on the diamond's minor axis. The interior walls and ceiling are buttressed with an inconceivable profusion of white trusswork, a bravura exercise in modernist structural pyrotechnics.

By the late 1970s, however, Johnson was making more literal use of historic motifs than in his "ballet-classical" work. This course change came to the fore with the AT&T Building, conceived as a monumental structure sheathed in a rather dark, brownish granite, with the broken-pediment flourish at its summit. How could one of the International Style's American midwives have come to this?

Nietzsche instilled a reverence for monumentality in Johnson, who attributed a religious impulse to great traditional buildings, including secular ones like New York's Grand Central Terminal, precisely because their beauty was *not* a matter of "form follows function" but, rather, the fruit of a sense of life that embraced the exquisitely useless—the vast, majestically vaulted space or the gorgeous sculptural detail. Even as a student at Harvard's newly modernist Graduate School of Design, Johnson professed admiration for the traditional American architecture of the late 19th and early 20th centuries. And he routinely incorporated big entrance halls and conspicuous stairways and balconies into his museum buildings, libraries, and theaters—including his "ballet classical" New York State Theater—as a means of introducing a "processional" element he associated with the grand tradition.

Having reached his seventies, Johnson appears to have sensed a cultural climate conducive to a full reengagement with a traditional aesthetic of monumentality. And in fact, the AT&T Building, completed in 1984 (just in time for the company's court-ordered breakup), was a hit with a public tired of flat roofs and glass façades. With Beaux-Arts sculptor Evelyn Beatrice Longman's gilt male figure, *Genius of Electricity*, beckoning from its lobby until it was removed in 1992, the building evoked a bygone elegance. Nor was it conceived as a photogenic send-up, as some commentators have assumed. Johnson did not design the building's broken pediment tongue-in-cheek; he employed that motif in the design of the gravestones of two of his most deeply cherished friends, MoMA's first director, Alfred Barr, and Barr's wife Margaret.

The fact remains that the AT&T Building's exterior is rather stark. Its wildly overscaled 116-foot-tall entrance arch serves as a picturesque crutch for a debilitating shortage of exterior detail. And viewed from a distance, the building reads as a flat postmodern signboard—basically because its granite cladding consists of skimpy panels tacked onto a steel frame. This is the "curtain-wall" construction normally employed on "dematerialized" (i.e., cheaply built) modernist structures, as opposed to traditional architecture designed to convey a monumental impression of mass. Such depth of relief and play of light and shade as the AT&T offers are mainly a matter of the piers and vertical window mullions protruding from the recessed horizontal spandrels between floors.

This is woefully inadequate, and certainly ornamental motifs providing additional relief were essential. On the other hand, Steven W. Semes, a Notre Dame architecture professor who once labored in Johnson's shop, notes that Johnson did what he could to disguise the panelized cladding system closer to ground level by manipulating the arrangement of the stone at the corners. All to the good.

But once the *cognoscenti* were cracking jokes about the Chippendale pediment, Johnson just chortled along. Why complain? The project had landed him on the cover of *Time*. But even though the AT&T Building wound up serving as corporate logo, signature image of the original celebrity architect and icon of postmodern irony, it's a safe bet Johnson originally aspired to a loftier achievement. And for all its faults, the building is a glass half-full. What a pity Johnson didn't focus on trying to resolve the problems this project raised in his subsequent skyscraper work. Instead, the chortling continued through the 1980s, with Johnson producing jokes in poor taste such as a Lower Manhattan office tower, 33 Maiden Lane, with hyper-fenestrated, crenellated turrets of buff brick (which at least provided the developer with more corner offices).

The PPG Place complex in downtown Pittsburgh is more entertaining. It consists of a half-dozen *ersatz* Gothic buildings of different sizes clad in mirror glass. (PPG stands for Pittsburgh Plate Glass.) The dominant building in the complex is a Houses of Parliament knockoff whose tower figures prominently on the city's skyline. The PPG ensemble is decked out with a profusion of pinnacled ribs, of the same glass, resembling pyramidion-topped cubic pencils of different sizes, many of them cranked at 45-degree angles for added picturesque effect. (A bell tower Johnson added to the Crystal Cathedral is composed of such pencils, except that they're clad in shiny stainless steel.)

By all accounts, PPG Place is popular. Like Johnson himself, Pittsburghers don't take it too seriously, and surely they don't compare it to their impressive stock of prewar office buildings. They share the near-universal assumption that an unbridgeable chasm lies between those old edi-

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fices and the contemporary practice of architecture. The foil to PPG Place is thus postwar architecture like Pittsburgh's 64-story, Darth Vader-style U.S. Steel headquarters, a profoundly anti-urban monstrosity clad in oxidizing Cor-Ten steel. Much the same applies to Johnson/Burgee's Lipstick Building on Manhattan's Third Avenue, whose curvaceous, elliptical set-backs, with their bands of reddish granite, stainless steel, and gray-tinted ribbon windows, provide welcome relief from the rectilinear monotony of the neighboring architecture.

The Lipstick Building is one of several 1980s projects in which Johnson/Burgee opted for a more abstract office-tower design without sacrificing the postmodern glitz. In contrast, the 900-foot-tall, mirror-glass-paneled Transco Tower in Houston, Johnson/Burgee's tallest building, rigidifies the *moderne* geometries of Bertram Goodhue's Nebraska state capitol tower into a tapering, relentlessly rectilinear form, with a little pyramidion perched on top and an incongruous granite entrance arch tacked on at the bottom.

The United Bank Center Tower in Denver is crowned by a slipped barrel-vault that creates a truncated "69" silhouette. Talk about iconic! The International Place complex near Boston's waterfront, in turn, takes panelized cladding to its logical extreme: The complex is partly wrapped in a rose-granite wallpaper to which Johnson took a Palladian cookie-cutter, punching out scads of the familiar tripartite windows (whose lunettes, or arched portions, are fake). Elaborate classical lighting fixtures on the latter complex's exterior, plus a classically detailed lobby, contribute to the aura of pastiche that envelops so much of Johnson's postmodern work.

Johnson did hone closer to the AT&T Building in a few subsequent projects. The granite-clad, klunkily detailed Bank of America Center in Houston, located across the street from Pennzoil Place and completed in 1983, boasts three stupendously picturesque receding tower-setbacks, each with stepped, steeply pitched Dutch-gable configurations. One-Ninety-One Peachtree Tower in Atlanta is crowned by a winsome pair of openwork pavilions—square in plan and baroque in design, with big globe-finials at the corners. Perhaps his best project with Burgee, however, is the IBM Tower at Atlantic Center in Atlanta's Midtown section—a nicely proportioned, 50-story structure that wears its stylistic eclecticism pretty well.

After parting ways with Burgee in 1991, the octogenarian Johnson dabbled in deconstructionism. For the University of St. Thomas in Houston, whose campus he had designed in a Miesian idiom during the 1950s, he produced a chapel consisting of a distorted white stucco cube with a flared "tent-flap" entrance and a gold-leaf dome. A great dark granite slab not only flanks the chapel, with voids for bells, "doors," and "windows," but slashes right through the cube and the dome at an oblique angle. Johnson also designed a little decon blob, dubbed "Da Monsta," as a visitors' pavilion for his New Canaan estate, which he bequeathed to the National Trust for Historic Preservation. He even stuck a ditzy decon sculpture with clocks in a little plaza across the street from Lincoln Center.

Self-deprecation was always part of Johnson's public relations strategy. "None of us postmodernists were really any good," he belatedly averred. And certainly he never hid the fact that he was an egotist. But Schulze's account of Johnson's Nazi activities at the time of the German attack on Poland suggests that this egotist was rather too adept at insulating himself from unpleasant realities. Motoring through Germany and Poland in his Lincoln Zephyr shortly before the German invasion, Johnson stopped in Brno, now part of the Czech Republic, to call on Otto Eisler, a modernist architect. The Gestapo had just been working on Eisler, who was not only a Jew but also, like Johnson, a homosexual.

During their encounter, Eisler could only hold his head up, with painful effort, at a crooked angle. Oh, sure, the encounter "shook" Johnson, as Schulze recounts, but it didn't stop him from filing pro-Nazi and anti-Semitic stories for Father Coughlin's *Social Justice*, or thrilling—from a safe distance—to the spectacle of Polish cities being destroyed during the *blitzkrieg*. Nor does it seem Johnson abandoned his Nazi enthusiasms for any other reason than fear of getting into trouble. (Later on, Johnson made numerous efforts to atone for his transgressions, such as designing a synagogue in Port Chester, New York, for free.)

Johnson had a prolific career. Unfortunately, it would take a book, not just a critical essay, to survey the many meretricious or just plain awful buildings he designed—including civic centers, cultural facilities, and university buildings, as well as office and retail buildings. He seems to have bobbed back and forth between ephemeral conceptual enthusiasms and a cynical bread-and-circuses attitude towards his art. And much of his work—such as his cultural complex in downtown Miami, a sorry attempt at a Spanish Mediterranean-style acropolis completed in 1982—was totally ill-conceived in urbanistic terms. Of course, Johnson disapproved of Jane Jacobs and her insights into the spatial and functional order that allows cities to thrive.

Such was the curious career that provides a depressing overview of postwar American architecture. Philip Johnson epitomizes the modernist adventure precisely because no set of abiding norms emerges from his *oeuvre*. He justified his lack of consistency as an ethos; but, in fact, modernism's ongoing tendency to negate not just tradition but its own theoretical conceits lies closer to the heart of the matter. Modernism has given us a very limited number of engaging buildings and even a persistent doctrine or two, but no keys to the creation of a meaningful city.

In other words, modernism has turned out to be hollow at the core—a statement that appears to apply, to a lamentable degree, to Johnson himself. ♦

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Unwelcome Guest

Actor, yes; director, no.

BY JOHN PODHORETZ

There are legions of people who think that the actor-writer-director Christopher Guest is a comic genius and that his four parodic films about the American obsession with show business—the latest is called *For Your Consideration*—represent the finest flowering of American comedy in our time.

For Your Consideration
Directed by Christopher Guest

Guest may, indeed, be a comic genius. As a performer on stage in the 1970s, on *Saturday Night Live* in the 1980s, and in his own films, he has breathed wonderfully detailed life into so many different characters with so many different accents that it's clear he could have been the American Peter Sellers if he had given himself the chance. And he's smart enough to surround himself with other comic actors who are nearly as good as he is and make him look even better.

But the movies he writes and directs aren't very good, and the reason they're not very good is that he directs them.

The first movie in the Guest series, *Waiting for Guffman*, is about a community theater production in a small Missouri town and the madness that ensues when the ensemble hears a Broadway producer is coming to see their show. It was followed by *Best in Show*, about dog owners who bring their purebred pets to compete in a nationally televised canine competition. *A Mighty Wind* came next, in which aged folk singers famous for 15 minutes during the roots-music craze of the early 1960s gather for a reunion concert at New York's Town Hall. And now there's *For Your Consideration*, which follows a bunch of has-been and never-was actors and writers making a small independent feature that inexplicably becomes the subject of Oscar buzz in Hollywood.

The case for Guest's greatness rests on the undeniably fantastic flights of brilliance in each of these films—peerlessly absurd and original comedy bits that emerge from the lengthy improvisational process that precedes the making of the movies and are then teased into full-fledged life by Guest and his co-writer, Eugene Levy.

For example: The very nervous concert promoter of *A Mighty Wind* recalls how his mother was so overprotective she made him wear a safety helmet to play chess. One of the dog owners in *Best in Show* is a ditz in her late 30s who is married to a wheelchair-bound man who appears to be nearing 100. "Leslie and I have an amazing relationship and it's very physical, he still pushes all my buttons," she says. "People say 'Oh, but he's so much older than you,' and you know what, I'm the one having to push him away. We have so much in common, we both love soup and snow peas, we love the outdoors, and talking and not talking. We could not talk or talk forever and still find things to not talk about."

The programming director of PBS in *A Mighty Wind* is a blonder-than-blond Scandinavian guy named Lars Olfen who speaks only in show-business Yiddishisms when he recounts seeing a folk concert in his youth: "This is the *emes*: When I heard I got these tickets to the Folksmen, I let out a *geshrai*, and I'm running around like a *vildeh chaya*, right into the theater, in the front row! So we've got the *schpilkes*!"

Guest loves old-time Jewish humor. A dentist in *Waiting for Guffman* (played by the peerless Levy) revels in his family's showbiz past, with a grandfather in the Yiddish Theatre whose claim to fame was introducing the immortal song "Bubbie Loves a Kishka." In *For Your Consideration*, the movie being made is called *Home for Purim*, about a southern Jewish family after World War II. "*Oy gevalt*! What have Ah done?" intones the matriarch when she learns her daughter has found a "good strong man" named Mary Pat.

Guest loves gay humor too, and not just because it inspired his own amazing performance as Corky, the theater director in *Guffman* who talks incessantly of a "wife" whom his fellow townsfolk never actually see. Guest constantly makes gleeful sport of gay, lesbian, and "transgendered" people throughout his films. At the end of *A Mighty Wind*, the basso singer in a folksinging trio announces he has decided to live as a woman and, in cocktail dress and Streisand '60s wig in the middle of a performance at an Indian casino in Upstate New York, sings the lowest three notes of a song called "Eat at Joe's." In *Best in Show*, a character informs us that she publishes a magazine called *American Bitch* that "focuses on the issues of the lesbian pure-bred dog owner."

What Guest doesn't love are the people who inhabit his movies, and there's the problem. They are rubes and morons, talentless and ridiculous, with almost nothing to commend them. That view of humankind—the "Lord, what fools these mortals be" view—can be a fine basis for comedy. The problem is that nobody on earth is quite as stupid as the characters in Guest's movies.

Take the publicist who is promoting the movie in *For Your Consideration*. He's a toupee-wearing buffoon who has never heard of the phenome-

John Podhoretz is THE WEEKLY STANDARD*'s movie critic.*

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(From left to right) Harry Shearer, Catherine O'Hara, Jennifer Coolidge, Ricky Gervais, Larry Miller

non of websites dedicated to movies in production. "The Internet?" he says. "That's the thing with email, right?" Later, he refers to it as "The World Wide Interweb."

It sounds funny, but it's so broad and off the mark that it leaves a sour taste in the mouth. There's no such thing as a movie publicist in 2006 who is ignorant of the Internet. Similarly, no American movie made in the past 50 years has been anywhere near as dreadful or amateurish as *Home for Purim*—nor, for that matter, has any small-town theater production been as sheerly rancid as the show in *Waiting for Guffman*. They're so bad that there's almost nothing funny about them. You're embarrassed watching them unfold. You wait for a single person somewhere who will say, "What do you people think you're doing?"

The fact that nobody in Guest's universe is clear-eyed enough to understand the wretchedness of the proceedings reveals the true weakness of his movies. Guest belittles his characters by making them believe the work they are doing is wonderful when we can see that it's lousy in a hundred different ways. He has little or no fondness for them. He creates them to look down in contempt on them, and invites us to do the same.

Now consider the movie that made Guest's career as an auteur possible—*This Is Spinal Tap*, the semi-improvised 1984 comedy in which he starred along with two members of his repertory company, Harry Shearer and Michael McKean. *Spinal Tap* is also a portrait of a showbiz calamity—the final tour of a lousy, second-rank heavy-metal band. The band's members are as stupid as the people in Guest's movies, and just as delusional. But it's entirely credible that they once had a successful act, whereas nobody in Guest's movies has ever been any good. And there is also a real sweetness to them. They're dim but well meaning, and all they want to do is entertain people, even if they don't really know how.

The difference between *Spinal Tap* and the Guest films is that Guest didn't direct *Spinal Tap*. Rob Reiner did, and it was Reiner who brought the large-hearted sensibility that makes *Spinal Tap* such a unique and wonderful creation. As a director, Guest has replaced Reiner's humanity with a witheringly contemptuous eye—and therefore, at their core, his movies are far less comic than they are misanthropic, and in the end they are as pleasurable as spending 90 minutes with a clever misanthrope can be.

Even as they provoke laughter and admiration, you can't wait to get away. ♦

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President Bush appeared in Vietnamese dress at an economic conference in Hanoi along with Presidents Hu Jintao of China, Vladimir V. Putin of Russia, and Michelle Bachelet of Chile, and Prime Ministers Stephen Harper of Canada and Surayud Chulanont of Thailand. **—News item**

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